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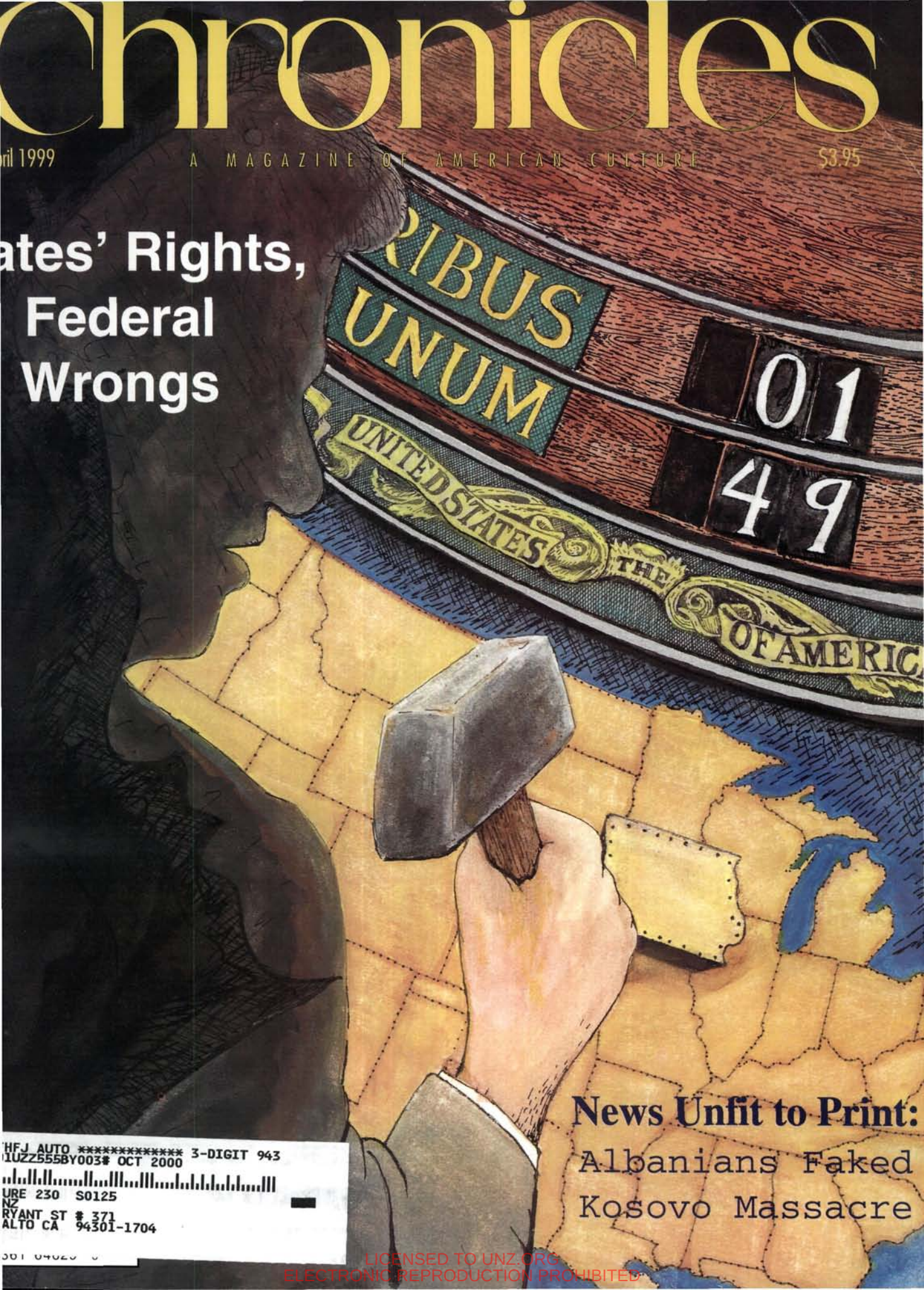

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Chronicles
A MAGAZINE OF AMERICAN CULTURE

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On Propaganda and Piety

Reading *Chronicles* has provided me, in equal parts, education, philosophic inspiration, and new words to add to my vocabulary—until now. Justin Raimondo's review ("The British Were Coming!" December 1998) of Thomas Mahl's *Desperate Deception: British Covert Operations in the United States, 1939-44* is one of the best examples of misinformation, damning indictments unsupported by facts, and illusions billed as "intelligent history" that I've ever seen crammed into a mere two and a half pages of a magazine.

Raimondo claims that "the evidence is in, and it turns out that [John] Flynn was right. At the center of the web [of propaganda, intrigue, and calumniation] was the British Security Coordination (BSC), the American arm of British intelligence . . . charged with coordinating a British fifth column in this country."

History—which Raimondo implies may not be his strong suit—records that "fifth column" was coined during the 1936-39 Spanish Civil War when, as four columns of Generalissimo Franco's "Insurgents" marched on Madrid, a "fifth column" of spies and saboteurs inside the city helped mess up the Loyalists' defenses. Do Raimondo and Mahl suggest that the Brits were our enemy in 1939?

As Japanese Admiral Isoroku Yamamoto documented in his diary in 1941, our real "enemies" were American "isolationists" who effectively vetoed any effort by President Franklin Roosevelt to build up the U.S. armed forces, thus convincing Hideki Tojo that he could attack Pearl Harbor because "Americans have no stomach for war." (Ironically, while President Clinton commits our military forces to all sorts of "police actions" around the world, his reductions in defense spending have convinced the Husseins of this world that we still have "no stomach for war.")

Raimondo further claims that "The BSC . . . had its tentacles in Hollywood and among the literary set . . . movie mogul Alexander Korda . . . playwright and presidential speechwriter Robert Sherwood, and mystery writer Rex Stout . . . " Setting aside the fact that communists had infiltrated that crowd far more thoroughly than the BSC by 1939, the BSC doesn't seem to have been very effective in Hollywood. For instance, four of the plays that Sherwood wrote between 1936 and 1940 (two of which won a Pulitzer Prize) were anti-war or anti-Soviet Union (supposedly our friend back then).

Raimondo quotes from a memo by Ernest Cuneo, who claims that the BSC "violated the aliens registration act, shanghaied sailors numerous times, and possibly murdered one or more persons in this country." Though the standard is much lower and more politicized now than when I was a journalist, back then my editor would have slapped me with a pay cut, at best, if I'd failed to demand answers to the following questions: How did they violate the Registration Act? Which sailors, where and when? Whom did they murder, where and when, and what's your evidence?

"Of all the operations conducted by [the BSC] in this country, none had a more long-range effect than the turning of Senator Arthur Vandenberg," which Raimondo "explains" was accomplished by getting Vandenberg involved with not one but three women "with strong ties to British intelligence." What really turned Vandenberg from "isolationist" to "interventionist" (Raimondo's labels) was the Japanese sneak attack on Pearl Harbor. Vandenberg became convinced that the security of the United States requires us to be a strong player on the international stage. (Incidentally, Raimondo's use of "anti-interventionist" in place of "isolationist" is, in my opinion, about the same as "pro-abortion" people using the more palatable label "pro-choice.")

Finally, "How an unknown lawyer [Wendell Willkie] . . . could come to be the GOP presidential nominee is a mystery pondered long and often by conservative commentators over the years." What commentators? What mystery? Even my little old *Family Encyclopedia of American History* notes that Willkie was a "well-known courtroom lawyer and chief executive of a giant utility holding company in New York . . . bitterly opposed to Roosevelt's New Deal, making him much admired by conservative Republicans . . . switched from 'isolationist' to backing Britain after the

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Nazis conquered Western Europe."

When I read that Mahl's book "penetrates the propagandistic pieties promulgated by the court historians and exposes the . . . utter immorality of ruling elites," I thought, "This guy was trained in the disinformation office of the old Soviet KGB." In my opinion it is not court historians (whatever they are) but Raimondo (and Mahl, too?) who deserves indictment for "propagandistic pieties."

—*C.W. Borklund*
Locust Grove, VA

Mr. Raimondo Replies:

If only I *had* been "trained in the disinformation office of the old Soviet KGB," as Mr. Borklund would have it: Perhaps then I would be a respected writer for the *New York Times*—or maybe even a neoconservative. Alas, my alma mater is much less prestigious, and so I am stuck answering crank mail.

Mr. Borklund claims to have been educated and inspired by *Chronicles*, but his polemic leaves me with the impression that he is shocked that anyone would question the conventional explanation of the origins of World War II. I am by no means the only writer to offer an alternative view who has appeared in the pages of this magazine. Perhaps Mr. Borklund has mistaken *Chronicles* for *National Review*.

Mr. Borklund does not believe in the existence of a British fifth column in this country, despite the memoirs and memos of its own overseers and agents, cited in the review. The point of *Desperate Deception* is that the truth is far worse than the memoirists suggest. The etymological history of the phrase "fifth column" is very interesting, and yes, the British and their American supporters were our enemies in 1939. In a coordinated covert propaganda campaign, the Brits bought off politicians, smeared their opponents, and interfered extensively in the American political process. The Brits were our enemies because they had mobilized their wealthy and influential American supporters on behalf of a cause that was not in American interests—and, as Mahl shows, they would stop at nothing to achieve their goals.

As for Mr. Borklund's journalistic concerns, the answer to his questions about murder are to be found by looking under "M" in the index of *Desperate Deception*. The Registration Act properly requires that agents of a foreign power register as such, but somehow the dozens of BSC fronts ensconced in Rockefeller Center failed to do so. Regarding the names of those sailors who were shanghaied—according to the testimony of BSC agent Ernest Cuneo—I must admit he's got me there. While Cuneo's memo does not name names, perhaps Mr. Borklund would like to contribute to *Chronicles*'s investigative journalism fund so we can pursue the matter.

As for the turncoat Vandenberg: I think another kind of pearl turned the senator away from his previous stance. Even before the attack on Pearl Harbor, he was instrumental in imposing an economic embargo on Japan: While historian Wayne S. Cole, in *Roosevelt and the Isolationists*, contends that Vandenberg's key role "unintentionally" aided the war party, Mahl's book places the randy Vandenberg in a new light.

Since it was the interventionists who worked tirelessly to get us into a war that needlessly slaughtered millions, Mr. Borklund's contention that using "anti-interventionist" instead of "isolationist" is equivalent to the pro-abortion crowd co-opting the word "choice" is grotesque. The "isolationist" label was originally meant as a smear, and yet some opponents of globalism came to wear it as a badge of honor. I prefer to call myself an "insulationist"—one who advocates insulating what remains of our old republic against the fatal temptations of empire.

Mr. Borklund will be glad to know that President Clinton has raised the "defense" budget—currently bigger than the military budgets of the rest of the world combined. However, this will no doubt fail to satisfy Mr. Borklund, the conservative establishment, and congressional Republicans, who object to all forms of socialism except the militarist variety.

On *Dictations*

No sooner were my spirits raised by reading your quotation from the Oxford English Dictionary on the meaning of *to parse* than they were dashed by this sentence in the *New York Times*: "'It's not just, "Can you parse this sentence in the subjunctive?"' said Mrs. Cipolone, who had 36 Latin students when she began teaching 28 years ago and now has 140" ("In America's Schools, Latin Enjoys a Renaissance," *New York Times*, November 27, 1998). We dare not endanger the newborn enthusiasm for Latin, but what can it mean "to parse this sentence in the subjunctive," as the eighth-grade Latin teacher puts it? But then, the article informs us, her students are busy recreating Virgil's Underworld, but a step away from Dante's Hell—and let's not forget that Dante chose Virgil as his guide. If these are the saviors of Latin, maybe we should remain damned.

You asked whether anyone was interested in seeing the rubric *Dictations* continued. Yes, the corruption of the language is probably the most insidious instrument of repression: the lie *par excellence*. Anyone—and there are few—who has the sensitivity (psychological and cultural) to recognize it should be encouraged. Even if it is Humpty Dumpty.

—*Olga Ragusa*
New York, NY

On Viagra and the Military

I was bemused (but *not* amused!) by your item "Strong Defense" (*Epicycles*, January).

As a veteran of World War II, I cannot help wondering how we managed to win that epic struggle without the help of this "sex pill." Can't you just see our guys parachuting into the black night over the Cotenton Peninsula or, the next day, jumping off the landing craft into the living hell of Omaha Beach, each with a packet of Viagra pills in his knapsack in case he should meet some comely French babe? Maybe that is why we won: Our men saved their energies for fighting instead of, well, you know.

As for the present-day Army (or Air Force, or Navy—maybe not the Marines), one wonders how it would stand up in *mano a mano* combat with another force of fighting men who have not been emasculated. Perhaps that is why our feminized, homosexualized military must depend so heavily on high-tech weapons. The "gender" or "sexual orientation" of button pushers does not matter. What happens, though, when they run out of Tomahawk missiles and have to go in with cold steel?

—*Joseph P. Wall*
Philadelphia, PA

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PRESIDENT CLINTON lied under oath as well as on television: About that, few have disagreed. So why wasn't lying under oath simply regarded as perjury? Because weighty conservatives, famous feminists, and legal scholars, among others, have tended to excuse the President, claiming that he was just lying to conceal an affair. Said Arthur M. Schlesinger, Jr., "A gentleman always lies about sex."

This is a depressing line, quite aside from calling Mr. Clinton a gentleman—depressing because of what it omits, and because so many well-regarded people have used it on the public.

The President could hardly have lied about sex without affecting other people, and indeed he has repeatedly shown his willingness to discredit his accusers. Gennifer Flowers was vilified in the "mainstream press"; an immense political machine geared up to deal summarily with Paula Jones; the administration began handing out materials impeaching Kathleen Willey's credibility immediately after her persuasive appearance on *60 Minutes*; and the President himself, surrounded by his phalanx of advisors, aides, and a Secret Service detail, murmured that Monica Lewinsky was a "stalker."

That last one beats out even George Bush's claim—surrounded by *his* Secret Service agents—to have kicked Geraldine Ferraro's butt, winning the coveted "Not Errol Flynn" award. And yet some leaders of the women's movement and old-time members of the civil-rights movement, among others, have gone along with a performance that is the very opposite of equal justice and conspicuously devoid of anything dashing or swashbuckling. Kremlin or no Kremlin, it would be nice to have a President mature enough to deal with twenty-something political groupies.

Not that the President has gotten away with personal attacks scot-free, of course. Paula Jones filed suit against Mr. Clinton after reading about some version of herself in an *American Spectator* article; Linda Tripp started recording her phone conversations after she was described in newspapers by the administration as unreliable; and Monica Lewinsky went back to the grand jury irritated by the President's testimony that their relationship was so clinically one-way as to avoid touching.

So the President's efforts to tear down the reputations of others, successful to a point, have also boomeranged against him—with some justice, since even his defenders seem to be saying that he has jeopardized his presidency by lying about something so trivial it need not have been lied about. But it must be remembered that this was his effort, and the effort of his administration and allies in the press and in society: He has tried systematically to discredit people who have discovered something to his discredit, even though what they discovered was his own conduct, and they discovered it from the man himself.

This is the context for those cries for "forgiveness" and "a return to civility." It would be noble for any of us to forgive the man for lying about us, but is it really so noble to forgive him for lying about someone else? Was the time before the public knew about the President's treatment of an intern—the same time the President's men were trashing another young woman, a former low-level state employee—really one of greater civility?

Gennifer Flowers, Paula Jones, Kathleen Willey, Monica Lewinsky, and others are not "sex"; they are human beings. Bill Clinton is not lying about sex; he is lying about women. Put that way, it seems a bit less gallant.

—*Margie Burns*

PRESIDENT CLINTON's $1.77 trillion budget proposal is an insult, and not just to the GOP-dominated Congress that will not pass it: It is an insult to the intelligence of the American people.

Predictably, Sen. Pete Domenici, Republican point-man on budget, and new Speaker of the House Dennis Hastert both condemned the plan to raise taxes by cutting corporate loopholes and imposing new taxes on tobacco. While the Republicans were noisily pointing out that any budget surplus belongs to the taxpayers, they were quietly agreeing with the President that as much as two thirds of future surpluses should be used to bail out Social Security. Allan Greenspan, however, has told both the President and Congress that such surpluses fall short of what is required to fix Social Security (that is, to pay this baby-boomer off). To make the system solvent, says Greenspan, we need to raise taxes, cut benefits, or both.

Someone (or nearly everyone) is lying. Either Mr. Greenspan is telling the truth—and both the Democrats and Republicans are lying to us about the surplus—or the Federal Reserve Board chairman is a liar who has to be removed from office. The dirty secret that every talk-radio listener knows is that there is no budget surplus: The national debt went up in 1998, not down, but we are continuing to spend Social Security money on the boondoggle projects demanded by those who contribute to the political campaigns of both parties, and the best plan our beloved President can come up with is to add a 55-cent tax to some poor nicotine addict's pack of cigarettes.

Conservative viewers of the impeachment proceedings occasionally wonder why the hard-working house managers have been given so little opportunity to do their job. Doesn't Trent Lott want a conviction? The question is pointless. When both parties have entered into a conspiracy to deceive the American public on the state of both Social Security and the budget, they are incapable of opposing each other on any other matter that is significant for our future. Unfortunately, in insulting the American people with his fiscal lies, Bill Clinton has once again judged his audience—and his opposition—to a "t" which stands for "tool" that rhymes with "fool."

—*Thomas Fleming*

CULTURAL SYMBOLS are sources of contention everywhere. In Russia, a squabble over a monument rings a bell with this proud Southerner. The powerful Communist (CPRF) faction in the Duma recently raised the question of returning "Iron Feliks" Dzerzhinsky, the Soviet Union's first secret policeman, to his pedestal facing the Lubyanka, the one-time home of the KGB. The uproar that followed shows that old wounds have not entirely healed. To some Russians, "Iron Feliks" symbolizes the murderers of their ancestors. For others, he is

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a symbol of order, something sorely lacking in the new Russia. For still others, even many CPRF voters, a continued respect for Soviet-era symbols does not extend to "Iron Feliks." The Lenin mummy, yes. The traditional Victory Day parade, complete with the Red Banner of Victory, yes. But "Iron Feliks"—well, he was a Pole anyway. CPRF diehards have moved on.

The Russian squabble tells us much about the power of symbols within a divided nation that, like our own, is in the midst of an identity crisis. Most Russians readily accept many Soviet symbols, particularly those related to the Great Patriotic War. Efforts to preserve Victory Day and World War II-era Soviet symbols on buildings and monuments are not necessarily an endorsement of communism, but an attempt to ensure that the banners Russians fought under will not be desecrated. If an old war veteran proudly waves the hammer and sickle on Victory Day, it is hardly a call for a communist revanche. Younger Russians largely respect their elders and recognize the validity of their symbols, even as both now live under the resurrected Russian tricolor. Let Lenin sleep in his tomb and the victory not be tarnished by ideological fastidiousness: We are all Russians.

The Old Dominion is host to a phenomenon which has similar roots in questions of myth, symbol, and identity. January 18, once set aside to commemorate the South's two greatest war leaders, Robert E. Lee and Stonewall Jackson (Lee's birthday is January 19), now receives little official notice. Some years ago, after Washington canonized Martin Luther King, Jr., the Commonwealth of Virginia decided to fuse St. Martin's feast day with Lee-Jackson Day, thus saving the expense of separate official holidays. It has proved a wise move for the cowardly lions of officialdom: The Commonwealth is henceforth saved the embarrassment of a real celebration of "Marse Robert's" and "Old Bluelight's" prowess in defense of the Lost Cause and, equally embarrassing in the age of Clinton, of their piety.

The *Washington Times* carried a front-page story on the King celebration, but there was no mention of either Lee or Jackson. A local newspaper published a full schedule of King Day events held in the Loudoun County seat—Leesburg. The parade marched right past the raised musket of a stone Virginia Confederate, hoisted in defense of his native state.

There had been something of a truce in the war of symbols up until what is now called the "Civil Rights Era," when the managerial state and its allies began a prolonged effort to nudge the old symbols, especially those of the South, into the memory hole. Under the prior consensus, Southerners were allowed their own version of Civil War history, complete with battle flags and a Confederate pantheon. In return, Southerners became the most fiercely patriotic of Americans. Regional uniqueness and national identity coexisted. But that was then, and this is now.

Apart from a vigorous defense of old American symbols, what is to be done? What can we realistically hope for? If Russia, where the bloody Soviet regime is still within living memory of the vast majority of the population, can reach a compromise on national symbols, can't we?

Unfortunately, Americans will find it much harder to declare a truce in the war of symbols. Here, race—an uncompromising "badge" of identity—plays a crucial role. Scholars like Walker Connor and Anthony D. Smith were correct in pointing out that all nations are built on ethnic foundations, and that the myths and symbols of emerging nation-states had to be deemed legitimate by sub-groups who would be absorbed into the national community. Thus, both the Mt. Rushmore and Stone Mountain sculptures are familiar and acceptable symbols of national history for the ethnic core of the American nation. But the problem for traditionalists is that the American citizenry is now more heterogeneous than that of the country which fought the War Between the States. Parson Weems' mythology of George Washington was entirely unobjectionable as long as America, or at least the dominant stratum, remained, well, American. If the managerial elite continues to transform America into a multicultural state (not nation), what will become of the older symbols?

There may still be hope. Perhaps cooler heads will prevail, and a new consensus will allow the validity of a multitude of regional and ethnic symbols. Although one symbol need not cancel out another, such a decentralization of myth-making presupposes the decentralization of the state, a rebirth of both a healthy national consciousness and regional identities, a degree of mutual respect now absent in public discourse, and a halt to massive immigration. Otherwise, those Americans whose symbols have been torn from them may feel they must resort to the sort of zero-sum political and cultural warfare that many blacks now pursue. It's not a happy prospect.

—*Wayne Allensworth*

CANADIAN MAGAZINES would be protected against the tidal wave of split-run issues of U.S. publications that has swept across the border, under legislation sponsored by Heritage Minister Sheila Copps. The cabinet in Ottawa supported her proposed Bill C-55, which will prevent American magazine publishers from selling advertising to Canadian companies if those ads are meant specifically for split-runs on sale in Canada. (A split-run issue features essentially the same content on both sides of the border, but different advertisements and usually different covers.)

Although the bill is clearly in accord with the "cultural exemption" that Canada obtained in the negotiations leading up to NAFTA, there has been a lot of pressure from Washington and from the so-called "pacifists" in Prime Minister Jean Chrétien's entourage to rescind the measure. U.S. Trade Secretary Charlene Barchevsky and American media conglomerates sharply attacked the proposed law and reiterated their long-standing objection to Canadian protection of cultural industries, most notably film and publishing. The U.S. Ambassador to Canada, Gordon Giffen, said he was "startled" by the proposal. The implied threat of trade retaliation jangled the nerves of the Canadian business community, which shares with its American counterparts an ingrained antipathy—or at least, total indifference—to any notion of a "national" culture.

Nevertheless, the prospect of *Macleans* finally succumbing to *Newsweek* and the likes of *People* and *Forbes* completely taking over the nation's newsstands concentrated the minds of sufficient Canadians to secure broad popular and political support for C-55. The prime minister himself stated that "some Americans don't like the protection for industries in the cultural field, but it is part of our identity."

So far, so conventional. But why has the opposition to the bill in the United States been so vehement? A coalition has formed, linking the U.S. entertainment, media, and information-technolo-

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gy sectors in a common front to oppose cultural protectionism anywhere. This "American" juggernaut—the product of corporate mergers and the convergence of the information media—sees the Canadian bill as a litmus test, since successful Canadian resistance can be a model for other countries. Canadian arguments have been echoed in Europe and Asia, where the very notion of standing up to "American" cultural hegemony touches a cord.

What most Europeans and Canadians still call "culture" has been absorbed, in the United States, into a monolithic entertainment-industrial complex that combines publishing, broadcasting, cable and satellite systems, film-making, video and TV production, theater, and music performance, recording, and distribution. Time-Warner, Disney, and company want to control the world, literally. They have a lot of money, and therefore a lot of influence in Washington, which now seems ready to risk an all-out trade war over an unimportant and perfectly legal foreign bill. Thanks to their lobbying, "many in Washington feel an example must be made of Canada if other cultural protectionists around the world are to be deterred," according to Christopher Sands, director of the Canada Project at the Center for Strategic and International Studies in Washington, D.C.

From this "American" point of view, any national culture—if it is to be tolerated at all—must be subordinate to something called "freedom of choice," which entails, in addition to split-run magazines, as many American radio and television stations, cable channels, films, videos, and Stephen King paperbacks as the "global" consumer wants. This "freedom," richly endowed with advertising billions, is supposedly resisted only by oppressive "cultural elites," an array of killjoys and nerds who undemocratically presume to tell the people what they ought to read, see, and hear. Culture-related subsidies of any kind, not to mention content requirements, are shackles limiting peoples' choices, inconsistent with "globalization" and "freedom of expression."

The assault is formidable, and it needs to be resisted by the adherents of true culture everywhere. But it is unfortunate that Canada has been pushed to the forefront of the emerging global culture war. Canada—or, to be precise, its English-speaking bulk—is, if anything, more politically correct and more "multicultural" than America. Its Toronto-based "cultural elite" is largely effete, leftish, anti-Christian, sexually ambiguous, and fatally dependent on state handouts from like-minded federal and provincial bureaucrats. It is lacking in the vigor, authenticity, and raw energy of, say, the late Robertson Davies or Alice Munro. It deserves to be swept away.

But its defeat at the hands of Steven Spielberg, David Geffen, and Michael Eisner would undermine the will to resist in places such as Spain, Slovakia, Finland, or Austria, not to mention America's own struggling heartland. For that reason alone, we ought to support the Canadians on this one. The barbarians are inside the gates, and our enemy's enemy should be at least an ally, if not exactly a friend.

—*Srdja Trifkovic*

A **HOLOCAUST MEMORIAL** statue has been proposed by a local Jewish interior decorator here in St. Petersburg. The 80-foot statue would be situated in one of the parks that line Tampa Bay, in downtown St. Pete. The decorator has already selected a London sculptor, who, in turn, has designed the statue. Everything is set. All that is needed now is money, both Jewish and municipal. The cost would be three million dollars, not counting the land and the annual maintenance, which the city is supposed to provide. In Tampa Bay's Jewish world, three million dollars is a lot of money; the two Jewish federations on both sides of the bay do well to raise that in a good year.

St. Petersburg already has a Holocaust Museum, with an active educational program; it is among the biggest in the United States. Why a statue as well? Someone got a bright idea and ran with it.

It's a good example of how personal whims replace proportion, balance, and public discussion of the public interest in Jewish community affairs. I personally think that three million dollars would be much better spent on building the Jewish future in this lovely county—on synagogues, schools, and youth programs—than on elaborately, expensively, memorializing the tragic past (for a second time, no less). But what I find most interesting in this bizarre initiative is how private enterprise is taking over the "organized Jewish community." Organized Jewry is going out of business, and disorganized, self-motivated, amateurish Jewish hobbyists are taking over.

That is what we have come to. There was a time, not long ago, when the Jewish federations presented themselves as the "Jewish community's central address," where everyone met to discuss Jewish public policy and to decide how Jewish business should be carried on. There was an age when most money for Jewish causes was raised through Jewish federation drives. But the time of a Jewish commonwealth, the age of a Jewish public interest, gave way to entrepreneurial Jewishness: Do as you like, and if you can get away with it, well and good. The "Jewish community" be damned.

Personal and amateur family foundations have replaced public, professionally administered philanthropy. Few family foundations take a broad and enlightened view of Jewry as a whole, Judaism and its requirements, the Jewish community and what it needs to do to carry out its responsibilities; many private foundations fund only private causes and individual whims. I can document the damage, the corruption of Jewish values, the utter contempt for Judaism, that the "Jewish" family foundations have brought about.

But here in a small and provincial corner of the Jewish world, with weak federations and a vast population of Marrano Jews (who do not wish to present themselves as Jews at all), matters have deteriorated even more dramatically. Now, for a major project such as this, the public press is where Jewish public policy is discussed, and the discussion is after the fact. Someone got into her mind a bright idea, and the next thing we know, she has chosen a sculptor, selected his piece, and decided that the best thing that the Jewish community can do with three million dollars is to fill up a municipal park on the waterfront with yet another holocaust memorial. How self-indulgent! How short-sighted! How grotesque!

But to this we have come. About five years ago, a local Jewish dermatologist (so I recall; he could have been a dentist—it was something with a "d") got it into his head that the local Roman Catholic bishop should speak to the Jewish community of Tampa Bay. So *he* invited him to address the Jewish community. The bishop accepted the invitation, assuming that the dentist had some sort of official standing to offer it, and a date

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was set. Then I got a call from the panicked physician: Bishop Favalora is coming to address the Jewish community; what should I do? I realized that the doctor had committed the Jewish community to a major public event, with no support, no backing, not even a location. I advised him to go to the Jewish Community Center for a location, to the local rabbis and synagogues and federations for sponsorship, and to various Jewish organizations for co-sponsorship; they would give the event the Jewish community auspices that the bishop had every reason to anticipate. Would I speak? the physician asked. I suggested that Bishop Favalora give the address, I would respond briefly, and then a question period would follow. We would hold it at the Jewish Community Center's holocaust exhibit (the museum was then years away), and the bishop would visit the exhibit on the occasion of his address to Jewry. Bishop Favalora sent me his text, a comprehensive and workmanlike statement on Catholic-Jewish relations, past and future. I sent him mine; we made sure we were talking about the same thing and contributing to the public interest; and the event took place in good form. My memory is that many Catholics, lay and religious, came, but not so many Jews, and no rabbis or "lay leaders."

When the Jewish community loses all organizational and institutional coherence, then private enterprise takes over, and Jewry splits up into personal fiefdoms. Judaism is a religion for families and communities, not for isolated individuals; it does no good when individuals play at being Jewish. Now each Jew wants to be king of the Jews and play alone in her own sandbox—except when it's time to commit the entire Jewish community to build a sand castle that afternoon, while the tide is still out. And then the tide rises.

—*Jacob Neusner*

A NEW POLITICAL PARTY is an idea whose time has passed. While I certainly sympathize with those who want to "do something" about the federal Leviathan, taxes, abortion, illiteracy—pick a cause—they're simply mistaken in believing that becoming active in politics will change things. It hasn't, and it won't.

The Incumbent Party (with its two wings, Democratic and Republican) is firmly in control of government at all levels. After many years of being on the political front lines, I finally faced the fact a couple of years ago that my time and money had accomplished nothing. Looking back on all the campaigns and causes I've championed, starting in the late 50's, I see that nothing has changed for the better. I'm now devoting my efforts to the one activity that *will* have an effect—getting children out of government schools.

The U.S. Department of Education's 1993 report, *Literacy in America*, records the results of the largest survey of adult literacy ever undertaken in this country. The survey found that half of all adults can't understand a newspaper or do simple math. Over 80 percent of black adults are similarly illiterate. While the readers of *Chronicles* recognize this as a disaster, national educrats are quite pleased with the results. Here's a quotation from page xviii of the Executive Summary: "Perhaps the most salient finding of this survey is that such large percentages of adults performed in the lowest levels. In and of itself, this may not indicate a serious problem. After all, the majority of adults who demonstrated limited skills *described themselves* as reading or writing English well [emphasis added]." And from the final paragraph: "Today we are a better educated and more literate society than at any time in our history."

It should have been no surprise that Bill Clinton's approval rating soared to 73 percent two days after he was impeached. Leviathan, after 150 years or so of government control of education, has finally created a nation populated by self-satisfied morons who will think and do exactly what Baal Clinton and Dan Blather tell them.

We are wrong to claim victory when the superintendent or board of a government school grudgingly allows a student to say a non-sectarian (i.e., meaningless, non-Christian) prayer. They are masters at taking two steps forward, then one step back. If we truly want to change things for the better, we must concentrate our efforts on getting children out of the government schools and into sound Christian or home schools. Sadly, studies consistently show that over 80 percent of parents who claim to be Christian send their children to government schools.

Renewal starts with our friends and family. Once we have taken our own children out of government schools and have thrown our televisions out the window, we will begin to see the fruit of sound teaching that will provide the coming generations with the ability to think logically and to make sound moral judgments. Only then will a return to the old paths be possible.

—*Michael Brown*

OBITER DICTA: The poetry of **Timothy Murphy** from Fargo, North Dakota, returns to our pages this month. *The Deed of Gift*, a collection of Mr. Murphy's verse with a critical preface by Ingersoll Prize recipient Richard Wilbur, was published last year by Story Line Press.

Our art this month is provided by our new art director, **H. Ward Sterett** of Roscoe, Illinois. Mr. Sterett received his B.F.A. from the University of Colorado and his M.F.A. from Northern Illinois University, and attended the L'Abri Fellowship, where he studied the effect of Christianity on art. He currently works as a sculptor, painter, and printmaker in Roscoe.

Our East Coast readers can find *Chronicles* in **Connecticut** at Borders, 59 Pavilions Drive, Manchester; Borders, 1061 High Ridge Road, Stamford; Barnes & Noble Superstore, 200 Universal Drive, North Haven; Barnes & Noble Superstore, 1076 Post Road East, Westport; and Ink Newsstand, Meriden Square Mall, Meriden.

In **Maine**, *Chronicles* can be purchased at Barnes & Noble Superstore, 9 Market Place Drive, Augusta. If your local bookstore isn't on this list, please ask the manager to carry *Chronicles*.

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H. Ward Stereft

The Great American Purge

by Thomas Fleming

"States' rights? You can't be serious! What do you want to do—restore Jim Crow or bring back slavery?"

Any serious discussion of the American republic always comes aground on this rock, and it does not matter which kind of liberal is expressing the obligatory shock and dismay, whether a David Corn leftist at the *Nation*, a Jacob Weisberg neoliberal at the *New Republic*, or a David Frum minicon (or should that be "moneycon"?) looking for ways to pander and slander his way, if not to fame and fortune, then at least to expense account lunches and regular appearances on C-SPAN.

Even out here on the frontier, every hicktown mayor and two-bit *caporegime* knows how to scream racism whenever the rubes get in the way of some vast public-works project that promises an endless supply of lovely tax-boodle. Here in Rockford, according to the Gannett daily, you are a Nazi collaborator if you resent a federal takeover of the public schools and a racist bigot if you object to having your neighborhood turned into a warehouse complex of subsidized housing. When the county board chairman does not jump to in support of a sewer extension (into neighborhoods that are predominantly white), that, too, is racism according to the mayor.

In my wild youth—a period which, for Republicans, only ends in the mid-40's—I used to make historical and constitutional arguments to show the agreement of Adams and Jefferson on the limited powers of the national government. I would cite the opinion of Northern Jeffersonians and point to the example of the Yankee Federalists who plotted secession (in the midst of war) at the Hartford Convention of 1814, but the argument always came back to race. No one in American history ever did anything, apparently, without intending to dominate and degrade women, Indians, and homosexuals. This *reductio ad KKK* is not confined to the political left; it is practiced shamelessly by right-to-lifers who equate *Roe* v. *Wade* with *Dred Scott* and by most of the disciples of one or another of the German gurus who tried to redefine the American conservative mind. Incapable of framing either a rational or an historical argument, the liberals of the left and right fall back on the tried-and-true devices of all ideologues: lies, threats, and incivility. Liberty—whether of the individual or of a community—rises in their gorge like a cheap Mexican dinner, and nothing can neutralize the pain except heavy and repeated doses of propaganda.

States' rights, home rule, private schools, and freedom of association are all treated as codewords for racism, and when someone aspiring to public office is discovered to be a member of a restricted or quasi-restricted country club, instead of telling the press to mind their own business, he denounces himself for right-wing deviationism, fascism, and ethnic terrorism. He resigns immediately—thus insulting all his friends in the club who are now *de facto* bigots—and begs forgiveness. Even groups like the League of the South, that explicitly condemn racial prejudice are not exempt. So long as a group is "Southern" or "Anglo" or "hetero" or even exclusively Christian, it is a target, and when the inevitable attack does come, many of the members run for cover, eager to be the first to find safety by denouncing their former allies.

Like Bukharin and other communists purged by Stalin in the 30's, Americans accused of bigotry do not know how to fight back. While they should be spitting in the face of these latter-day Vishinskys and informers who are making civilized life impossible, they examine their own consciences for every unwholesome thought and every suspicion that the party line laid down by the leaders might fall short of revealed truth. Poor Bukharin knew he had done all too little to oppose Stalin, and,

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while jesuitically insisting that he had not performed this or that specific act of treason or terrorism, he accepted full responsibility for the fictional crimes attributed to his non-existent conspiracy. Americans accused of racism display this same Patty Hearst syndrome, acting like the kidnap victims who end up collaborating with their persecutors. They dare not oppose the revolutionary mentality of the regime, precisely because it is *their* mentality. Until we learn to throw off these leftist shackles that have been forced upon our minds, we can never be free.

The great mistake the right has made, all these years, is to go on the defensive. The federal principle that is illustrated by the traditional American insistence upon the rights of the states is not only ancient and honorable: It is, in fact, a universal principle of free societies and an expression of the most basic needs of our human nature. What is sometimes called devolution and sometimes subsidiarity is the principle that animates such diverse societies as Renaissance Poland, 19th-century Switzerland, ancient Athens, and the children of Israel before they degenerated to the point where they had to settle on the next-best form of government, namely, covenanted monarchy.

I do not propose to go over the evidence again. My point is only that states' rights, whether or not it is a particularly useful concept in these times, is a perfectly respectable doctrine that should not bring a blush to the cheeks of any Swiss or Pole, Greek or Jew; and no American, whether he traces his political ancestry to Massachusetts or Virginia, should have to apologize for defending a principle that is the very essence of our Constitution.

To defend, for example, the Tenth Amendment is a futile gesture if we do not at the same time challenge leftists to justify the monopolization of power by a tiny oligarchy. Under "leftist" I include, in very crude terms, anyone who supports the New Deal, the welfare state, and the usurped powers of the federal courts. It is they who, as lackeys of a regime that has deprived families and communities of their responsibilities and liberties, should be in the dock explaining their record as wreckers of society and destroyers of civilization. But in every society, the victors write not just the history but also the theology, and in American political theology, which is scarcely distinguishable from that of Robespierre, anyone who ever defended his people, respected his ancestors, and could tell left from right and straight from bent is sent to Siberia.

Leftist intellectuals have no qualms about going after any defender of states' rights, hammer and tongs—or rather hammer and sickle, because so many of them have spent years apologizing for Stalin, Mao, and the architects of an American welfare state that has enslaved the poor. But even if we were—for the sake of argument—to grant their point, false as it is, that states' rights is a codeword for segregation, a system that inflicted unnecessary humiliation upon millions of Americans of African descent, it is not as if ethnic prejudice is something new in the world. The Soviets, after all, did a pretty good job of genocide against the Jews, and both the Russian and the Chinese comrades did their best to eliminate the national identity of subject peoples.

One of the greatest butchers of the age was Stalin, a political leader whom upright leftists and sainted liberals like the late Sidney Hook spent years defending—palliating his crimes when they could not be denied and lying about them whenever it was possible. What sort of people have their morals so twisted that they can compare the slaughter of perhaps tens of millions of human beings—to say nothing of the war waged against religion, ethnic identity, and family life—with segregated restrooms and then conclude that segregation is worse than mass murder?

The only thing an honest ex-leftist can do today is to take a vow of silence on all things political. Either defend the crimes of Stalin and Mao, we should say, or repent and shut up. But the only repentance I have heard is the boiler-plate confession that they were "mistaken" in their ideas. That is like Dr. Bernard Nathanson's confession that he did not realize abortion was murder. What was he doing in embryology class? What were the leftists doing when writers like Camus and Orwell were telling the truth about Stalin? They were too busy slandering Orwell and denouncing the American system that gave them everything they have. Their book contracts and professorships are stained with the blood of Stalin's victims, and if they had a drop of decency or self-respect, they would devote the rest of their miserable lives to making restitution. Instead, they are so busy pointing out the mote in another man's eye that they do not see the gulag in their own.

Stalinists are far from being the only villains: Trotskyists, socialists, New Dealers, limousine liberals all played their part in the demolition of civilized life, and now they (and their friends and relations) want to whine about unintended consequences and condemn the leftists who have kept faith with their ideology. It is not that they want to close the barn door after the horses are out. In fact, it is much worse: These leftists-turned-liberals have stolen the horses and now want to claim that they are the real owners of the barn, which, if they ever do get their hands on it, they will turn into a forced labor camp.

There is no point in denying that states' rights can be made the pretext for tyranny—but so can republican government, the Christian religion, and Mom's apple pie. However, in essence, an apple pie is meant to be eaten and enjoyed; in principle, Christianity teaches us to love our neighbor; and both republican government and federalism are rooted in the moral responsibility of ordinary men who refuse to trust either aristocrats or bureaucrats with unlimited power over their everyday lives. The federal principle, in particular, comes down to an either/or proposition that only communists have had the courage to face: Since no one else can live my life for me (whether I am speaking as an individual or for a community), then no one else can make my decisions for me, and if it is hard for me or my school board or state legislature to make morally acceptable decisions, it would be harder still, no, impossible for others to make them for us.

Say what you will, talk all day, you will not find an argument against federalism that is not reducible to the principle: I and my sort are better than you and yours, and for that reason we have the right to manage your affairs. It is a simple enough argument that goes back to Plato:

> The best people ought to govern.
> We are the best people.
> Therefore, we ought to govern.

The only problem lies in proving that the "you" in question—a federal judge, a school superintendent, an EPA administrator—is really better, in any significantly moral sense, than any of the rest of us. What do we know about Justices Earl Warren

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and William O. Douglas that would indicate their moral superiority over, say, Verne Presley or the roughneck running the "Zipper" at the county fair? Many of the good and wise men who have destroyed the federal principle—John and Robert and Edward Kennedy, Lyndon Johnson, Martin Luther King—were entirely despicable in their private lives. If we dare not trust a politician to babysit our daughters, why would we entrust him with the fate of our families, schools, and neighborhoods?

There is only one alternative to the federal principle, and it is the hydra-headed absolutism that shows a different face to every generation. As soon as we lop off the head of Robespierre, Napoleon's face pops up out of the gushing wound; the comparatively benign kaiser and czar are replaced by Hitler and Lenin; and by the time Nazism has been destroyed and communism neutered, the absolutists find new ways of using "majority rule," "the public interest," and "democratic human rights" as instruments of oppression as degrading and ultimately as destructive as theories of proletarian dictatorship and the Aryan race. So great has been their success that the victims dare not whimper, and, if they do, they are branded immediately as bigots and reactionaries by the journalists, professors, and publicists who take pleasure in this kind of dirty work.

Their only moral code is that of the mugger who is ordinarily content to take your wallet and leave you unharmed but who, if you make the mistake of pleading with him or of appealing to his humanity, is outraged and beats you unconscious. When you wake up in the hospital, you are expected to apologize for the crimes of your great-grandfather, who did not permit his wife to vote and might have shot an Indian who was attacking his cabin.

If you have done harm to someone, you should apologize to him. (Let your ancestors make their own apologies.) But you owe nothing, not an apology, not an explanation, not a defense, to the political and legal predators who have taken away the most fundamental power given to us by our Creator: the ability to make mistakes. If leftists had been in charge from the beginning, the garden of Eden would have contained no fruit trees of any kind, and Eve would have been too busy pursuing her career to bother with Adam. It would have been, in other words, a perfect utopia, free of challenges or distinctions, inhabited by Harvard Law School professors passing judgment on each other's judgments. Even Milton's hell seems preferable.

Real people, however many are left, know better. If our enemies are unitarian and monolithic, we celebrate all the little differences between man and woman, tribe and tribe, nation and nation. That is both our weakness and our strength: It is our weakness, because we are too fragmented and diverse to fight openly against the power-monopolies that control both parties, the media, education, and the major religious and cultural institutions; but our diversity is also our strength and our hope, proliferating like yeast in thousands of different groups and networks. We may have lost the Republican Party and the Episcopal Church, but in independent evangelical churches and Latin Mass communities, in states' rights movements in the West and the South, and in homeschooling associations that are springing up like mushrooms in a rotting tree trunk, we succeed in doing good in our own lives and laying the groundwork for the next cultural revolution.

c

DICTATIONS

News-speak

"We very clearly had made a mistake," said the marketing director of Merriam-Webster, explaining her company's decision to pull an on-line thesaurus that included "faggot" and "fruit" as synonyms for "homosexual." While many homophiles freely use expressions like "faggot" and "fruity," and "butch," they reserve the right to dictate polite usage to the straight world. Not too long ago, a similar fuss was made over the dictionary definition of "nigger," and we are treated to the spectacle of African-American professors solemnly denying that "nigger" could ever be used except as an inflammatory racist epithet. The professors have led a sheltered life.

It is a curious process. Only mentally deficient whites object to terms like "whitey" or even "honky." If I am not ashamed of what I am, what do I care what the term is—so long as it is not actually defamatory or unduly descriptive? When an African-American professor says, "Listen, you cracker," I am not offended, because I am not a cracker, and even if I were, I would be proud of it. People uncomfortable with their identity, though, are forever coming up with new ways of describing themselves, and we have gone from black to colored to negro to Afro-American to black to African-American. I do not object—it is only good manners to call people by whatever name they have chosen.

Why should terms of racial identity have to undergo the same metamorphoses as terms related to excretion (crapper, water closet, toilet, commode) or death (boneyard, graveyard, cemetery, memorial garden). I've never understood, for example, why it is insulting to refer to Norman Mailer or Irving Kristol as Jews. If I were Jewish (as we must say), I should rub people's noses in my people's accomplishments.

In Jean-Luc Godard's sci-fi film, *Alphaville*, the government issues a huge book, every week, listing the words that no longer exist. Godard is a Marxist, but he is more honest and more free than the leaders of our society, who sit quietly as our language is turned into an instrument of oppression.

—Humpty Dumpty

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Sisyphus and States' Rights

by Stephen B. Presser

H. Ward Sterett

Can a ten-year-old girl successfully sue a local school board for failing to prevent the sexual harassment of the young lady by an elementary-school classmate? Should an Alabama state court judge be able to display his hand-carved copy of the Ten Commandments in his courtroom? Can the people of a state decide that no state municipality is permitted to forbid discrimination on the basis of sexual orientation? Is a state forbidden from declaring that only English shall be used for official state business? These are a few of the more outlandish questions that federal courts have recently addressed. Some remain unresolved, but all suggest that the federal government, through the federal courts, is now engaged in supervising and circumscribing the activities of states and their people to an extent all but undreamed of until recently.

Two hundred and eight years ago, when the Tenth Amendment to the United States Constitution was ratified, there was general agreement with its text: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Two hundred and eight years ago, Americans thought of themselves as citizens of their states first, and only secondarily as citizens of a national federation. Now it is unclear that most Americans are even aware of the Tenth Amendment, let alone the principle that the federal government is supposed to be one of limited and enumerated powers.

How did we come to this pass? Is there any hope that the federal courts will once again read the Constitution and, at least to the extent implied by that document, resurrect something of the doctrine of states' powers, if not states' rights? In the nation's law schools, among a very few professors and an increasing number of students, there is a faint sense that the federal government and the federal courts have gone too far. A national organization called the Federalist Society, with local chapters in many law schools and even many local bar associations, is now the most intellectually exciting and fastest-growing professional legal organization. Its central tenet is that the continued success of our republic depends on a reawakening of understanding that ours is a federal system—an aggregate of sovereign states united for common purposes but with divergent governmental philosophies. While it is ironic that the Federalist Society has adopted the name of the "strong central government" advocates of the late 18th century, even Washington, Hamilton, and Madison would have been astonished at present-day incursions of the central government and its courts.

The Federalist Society is swimming against the tide of most of recent legal history and legal philosophy. The story of the present usurpation of the states' primary responsibility for domestic law and policy seems to begin in the legal academy in the first decades of the 20th century. For many years, the Supreme Court had held that neither the state nor the federal governments ought to be permitted to interfere with agreements between employers and employees and, in particular, that no government had any business dictating minimum wages or maximum hours for workers. Indeed, for the most part, state and federal courts were even hostile to workers' organizations that sought, by collective bargaining, to raise wages or control hours or working conditions. The courts held that the doctrines which forbade state or federal interference with freedom of contract were based on fundamental Anglo-American principles of individual liberty, and that these principles were protected and enhanced by the Constitution.

A few judges—and many academics—vigorously began to dissent. Oliver Wendell Holmes, Jr., the great judicial skeptic who is regarded by most contemporary law professors as an

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even greater jurist than John Marshall, declared (almost certainly incorrectly) that the 1787 Constitution did not embrace any social theory—neither that of *laissez-faire* nor of the organic state. Holmes' admirers, most prominently at the law schools of Harvard, Yale, and Columbia, soon put together a legal philosophy, if one can call it that, known as "Legal Realism." The Legal Realists developed Holmes' agnostic disdain into a broader set of notions that there are no hard and fast rules to the law, and that the decisions of courts are best recognized as social products of their times or of the preferences of individual judges. The Legal Realists dismissed the legal philosophy of the Framers—that there are certain eternal, noble, and divinely inspired principles which form the essential foundation of the law and the Constitution—as so much sentimental nonsense.

President Franklin D. Roosevelt found the ideas of Legal Realism to his liking, and with the Democratic majorities in Congress in the 1930's, he remade the nature of the federal government without benefit of constitutional amendment. At first the Supreme Court resisted, but after the smashing Roosevelt electoral victories of 1932 and 1936 and Roosevelt's threat to pack the Court with his appointees, it suddenly reversed itself. In major decisions in 1937, in what was later to be called the "Constitutional Revolution" (and might have been as aptly labeled the "Constitutional Abandonment"), the Supreme Court declared that Congress, through its power to regulate interstate commerce, could impose collective bargaining even on businesses carried on within a state, and that it was perfectly appropriate for states to regulate wages and hours, at least for women. Freedom of contract, it seemed, was dead as a constitutionally mandated principle.

One new precedent in favor of centralized power can easily sweep aside ten old ones against, and over the next 30 years, the federal courts permitted the interstate commerce power to be used to regulate areas as diverse as state wheat production and racial discrimination in restaurants and motels. Even more outrageously, what could not be done directly by federal legislation under the interstate commerce power could soon be accomplished indirectly by the federal courts' interpretation of the 14th Amendment.

Passed after the Civil War, the 14th Amendment was originally designed to allow newly freed slaves to own property and to make contracts. But it became a tool, in the hands of mid-20th-century federal courts, to impose a centralized, secularized, and egalitarian social vision on the entire nation. Freed of the restraints of religion and tradition that the pre-Legal Realist jurisprudence had embraced, judges weaned on Legal Realism or Holmesian skepticism rewrote the 14th Amendment in the same manner that the New Deal Court had rewritten the Commerce Clause. Federal judges began to read the 14th Amendment provisions that no state should be permitted to deprive any person of the "equal protection of the laws" nor to deprive any person of life, liberty, or property without "due process" as a license to turn the restrictions of the Bill of Rights against the states and to set up strict rules about which state policies were permissible and which were not. With the scantiest evidence, and in the face of overwhelming data to the contrary, the Supreme Court declared that the 14th Amendment was designed to "incorporate" at least some, and perhaps all, of the protections of the Bill of Rights against state governments.

There is no doubt that the Bill of Rights, the first ten amendments to the Constitution, had been drafted in the late 18th century in order to reassure the proponents of strong state governments that the federal government would not infringe on the sovereignty of the states or their people. Without even acknowledging the usurpation, the federal courts turned the Bill of Rights into a tool to reduce radically the discretion of the state governments.

It may be too late to save state sovereignty and the original intention of the Constitution. Perhaps nothing short of a new constitutional convention, or at least a slew of corrective constitutional amendments, will restore some semblance of state sovereignty.

The First Amendment clearly provides, for example, that "*Congress* shall make no law abridging the freedom of speech . . . or regarding an establishment of religion," but the congressional prohibition was soon read—blatantly contrary to the intention of the framers of the Bill of Rights, if not of those of the 14th Amendment itself—to extend to state legislatures and officials as well. The 14th Amendment was used to forbid Bible reading and prayers in state schools, to dictate permissible police practices by local law-enforcement officials, and, in general, to mandate educational and penal policy for states and localities. In the 1960's, the federal courts, guided by egalitarianism and emboldened by the triumph of Legal Realism, ordered that all state legislatures had to be redistricted solely on population, even though, for almost two centuries, many states had emulated the federal government's model and had an upper house of the legislature based on traditional political subdivisions.

In a final series of judicial social-engineering feats, the 14th Amendment's Due Process Clause was read to bar any state or locality from interfering with unenumerated "privacy rights," including the right of married adults to purchase contraceptives and the right of women to secure first-trimester abortions. The Supreme Court stopped just short of declaring that the 14th Amendment prohibited any state from enforcing laws against consensual sodomy, but the Court did declare, on the basis of the 14th Amendment, that no state could prohibit any of its localities from forbidding discrimination against homosexuals. To this day, no one has been able successfully to reconcile the two holdings—they stand as an affirmation of the triumph of Legal Realism.

When Ronald Reagan came to power in 1981, he swore he

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would appoint judges who would interpret, rather than rewrite, the Constitution. In recent years, as Republican-appointed judges have settled into a semi-permanent majority on the Court, there have been some signs of a return to a Constitution with content. Federalism flourished in the 1995 ruling in the *Lopez* case that the federal government had no business, even using its commerce power, to regulate the carrying of guns in or near local schools. Nor, according to the Supreme Court, could the federal government conscript state officials to carry out its mandates regarding handgun regulation. Nevertheless, even a Court dominated by purportedly conservative Republican justices has held that the states were not permitted to impose term limits on their federal representatives, that states could not maintain male-only military academies, that local chapters of the Jaycees could not discriminate on the basis of sex, and that state courts could not permit peremptory challenges to jurors based on race.

Until very recently, the federal courts even tended to uphold federal requirements that state and local bodies enforce racially discriminatory "affirmative action" programs. These have now been all but outlawed by the Supreme Court, although the executive branch continues to try to implement them. Following federal statute, political redistricting was mandated in order to increase the number of minority elected officials, but fortunately this has come under increasing scrutiny, and there have even been signs that a majority of the Supreme Court is nearing a declaration that all government-mandated discrimination on the basis of race is unconstitutional. This may have been the principle actually enshrined in the 14th Amendment, and a return to a color-blind Constitution would have the serendipitous result of reducing federal influence on the states.

The federal courts, however, still have a powerful tendency to restrict state sovereignty. For example, in 1997, by a bare five-to-four majority, the Supreme Court held that the state of Maine could not give special state tax benefits to charitable institutions which served primarily state residents and deny them to institutions which served primarily out-of-state residents. Most of the decisions regarding redistricting, race, religion, or alleged rights of privacy have yet to be overturned.

Still, there are occasional moves in the right direction. In 1996, by a five-to-four majority, the Supreme Court reaffirmed the notion of state sovereignty by holding that Congress could not use the Indian Commerce Clause to abrogate the states' sovereign immunity—their ancient right to decline to be subject to federal lawsuits for state actions.

State sovereign immunity was supposed to be protected by the 11th Amendment, which provides that "The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State." In that 1996 decision, the Supreme Court breathed new life into the amendment by recognizing that it stood for the proposition that "each State is a sovereign entity in our Federal system." Unfortunately, in that very same case, the Supreme Court reaffirmed earlier holdings that, when rights are asserted under the 14th Amendment or the Interstate Commerce Clause, state sovereign immunity goes by the board. The Court thus held—incredibly—that the 14th Amendment somehow implicitly repealed part of the 11th, while the Commerce Clause somehow trumps the later 11th Amendment.

This issue of state sovereign immunity—an essential aspect of state sovereignty—is once again before the Supreme Court. In an extraordinary case, a fifth-grade girl has brought a federal civil-rights suit against her local school board, arguing that it failed to protect her purportedly federally secured right to be free from sexual harassment by a male classmate. As the case was argued before the Court this January, it appeared that a majority of the judges were beginning to agree that, if local school boards were subject to federal lawsuits each time ten-year-old boys teased ten-year-old girls, the notion of local autonomy for schools—perhaps the very heart of states' rights—was dead. This had been recognized by the federal court of appeals, which had ordered the dismissal of the case. The Clinton administration and feminist organizations demanded that the Supreme Court reverse the court of appeals and declare local school boards liable if they did nothing to prevent "sexual harassment" by fellow pupils. Sometime in the late spring or early summer, we will know how this case comes out, and whether the justices will rescue the states from this latest insult to their prerogatives.

Most legal analysts infer from the hostile questions asked of the ten-year-old plaintiff's lawyers that the justices will affirm the decision of the court of appeals and say that this incursion on local school board autonomy goes too far. The federal courts have also wisely dodged, for the moment, the question of the Alabama judge's hand-carved copy of the Ten Commandments, which remains in his courtroom. While welcome affirmations of the constitutionally obvious, these are but tiny victories in a war that is all but lost.

The triumph of Legal Realism is still nearly complete, and not just in the federal courts on the issue of state sovereignty. President Clinton, as this is written, claims that 900 constitutional historians support his assertion that his obvious perjury before a grand jury, obstruction of justice, and witness-tampering—felonies all—are not grounds for his impeachment and removal from office. This is a strange construction of a Constitution which clearly mandates the dismissal of a President who commits "high crimes and misdemeanors." The American people seem, at this writing, broadly to support their President and to believe his lies that his impeachment is just about "lying about sex." If William Jefferson Clinton stays in office, and/or his Vice President succeeds him for another term, we can expect the appointment of more Supreme Court justices who share their Legal Realist views and their agenda for reducing the prerogatives of the states and expanding the reach of the federal government. This has consistently been the perspective of the two Clinton appointees, Justices Breyer and Ginsburg.

It may be too late to save state sovereignty and the original intention of the Constitution. A slew of bold Supreme Court appointments by a conservative Republican president might help, but so far only Justices Thomas and Scalia, and occasionally Justice Rehnquist, have acknowledged that the Court has been operating for one or two generations in clearly unconstitutional territory. The odds of nominating jurists with their sympathies are not great, and the possibility of getting them confirmed by a Senate which leans toward Legal Realism and away from the original understanding is slight. Perhaps nothing short of a new constitutional convention, or at least a slew of corrective constitutional amendments, will restore some semblance of state sovereignty. The Federalist Society, and the admirers of the Constitution of Madison, Hamilton, Washington, and even Jefferson, face an almost Sisyphean task. ☙

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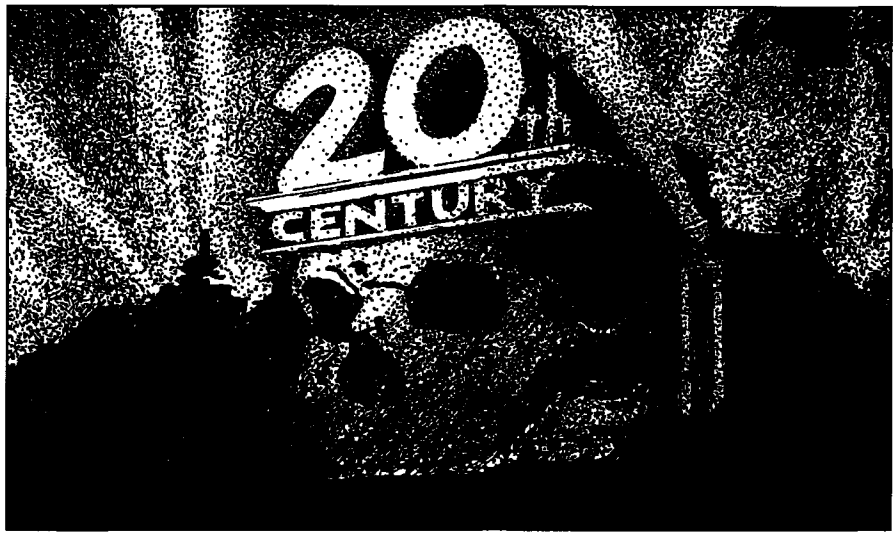
Decentralists or D.C. Centralists?

Overthrowing the Tyranny of Liberalism

by Donald W. Livingston



H. Ward Sterett

As we approach the end of this century, and indeed of a millennium, there is more than the usual tendency to reflect on things human and divine. One thing we should ponder is that the 20th century, often praised as the most enlightened, progressive, and humane period in history, has in fact been the most barbarous. World War I resulted in over eight million battle deaths (more than were killed in the two preceding centuries of "civilized" warfare in Europe). World War II confounded the distinction between soldiers and civilians, yielding over 50 million deaths. But worse than this would be the number of people killed by their own governments in the name of global ideologies of universal human emancipation. In his important book *Death by Government*, R.J. Rummel estimates that the Soviets alone killed some 62 million people under their jurisdiction. From 1900 until today, nearly four times as many people have been killed by their own governments as have been killed in all wars, foreign and domestic.

This destruction would not have been possible without the unprecedented concentration of power available to modern states. Had Hitler and Stalin been 18th-century monarchs, they could not have murdered millions because they would not have had the *authority* to mobilize the necessary resources. They would have been hedged in by powerful independent social authorities (the Church, the nobility, and provincial powers) whose authority, in their sphere, was as good as the monarchs' and who could be expected to resist. The czar, for example, from 1825 to 1905 executed an average of only 17 people a year. With the collapse of the monarchy and all independent social authorities, large-scale corporate resistance vanished, and Lenin and Stalin could murder millions.

The French Revolution gave birth to the first truly modern state. The storming of the Bastille revealed only seven inmates, none of whom were political prisoners. The king, who was willing to become a constitutional monarch and who refused to use force, was executed; the nobility, clergy, provincial authorities, and an independent judiciary were eliminated. The French republic, in the name of the "rights of man," seized half a million political prisoners. Of these, 17,000 were executed with trial; 12,000 without trial; and many died in prison. The republic, for the first time in European history, ordered universal male conscription. Whereas the armies of the great monarchies had hovered around 190,000, the French republic, overnight, placed a million men in the field. By the end of Napoleon's reign, the republic had conscripted some three million troops. Other European states imitated the French republic. As a result of European imperialism, world wars, and global capitalism, most of the world was hammered into the form of the modern state.

Univeralist liberalism views the destruction carried out in the 20th century as the result of illiberal forms of government. What is overlooked is that liberalism itself first legitimated the destruction of independent social authorities, transforming peoples into masses and concentrating power to the center. The French republic was the first modern state, the first government legitimated by liberal ideology, and the first totalitarian regime.

The most important war of the 20th century was World War I; World War II and the Cold War were simply its unresolved

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aftermath. The nations that fought this war all viewed themselves as liberal and progressive constitutional monarchies or republics. For a century, these would-be liberal regimes had been concentrating power to the center. By 1914, this concentration had reached a critical mass and exploded into a war that shattered the social fabric of Europe. Nazism and communism did not arise from a vacuum, but were the result of the spectacular destruction carried out by progressive liberal regimes. Enlightened German liberals had long worked to crush the small independent principalities and free cities of Germany into a German superstate. Hitler did not create the concentration of power he put to such bad effect; he found it ready-made—the work of Bismarck and Weimar liberalism. He simply augmented it and put it to his own purposes.

Why is a modern state disposed to destroy the corporate liberty of independent social authorities and concentrate power to the center? And why is this destruction perceived as morally legitimate? The answer was given in 1651 by Thomas Hobbes in *Leviathan*, which frames the first and most profound theory of the modern state. Hobbes pictures mankind as an aggregate of egoists in a state of nature without government, each pursuing his own power and glory without restraint. Since this is a self-defeating condition of constant conflict, rational egoists compact with one another to form a government for the sake of peace and stability. The sole end of the Hobbesian state is to maximize the individual's autonomy.

All modern political theorizing takes its bearing from the Hobbesian vision of autonomy or choice-making as the end of the state. This is as true of Marxism as of liberalism. Liberals hold that private property and the rule of law are sufficient to maximize autonomy. Marxists deny this, pointing out that liberalism yields inequalities in the form of class domination, which maximizes autonomy for the few at the expense of the workers. And Marx did Hobbes one better by declaring that, in a classless society, there would be no class conflict, and so no need for government at all. The elevation of autonomy would come to be known as the Enlightenment. There would, of course, be disagreements about the precise character of autonomy and its conditions, quarrels about "positive" and "negative" liberty. Locke, Kant, Hegel, Marx, Mill, Godwin, Nietzsche, and Sartre would theorize it differently, but all agreed that autonomy is the purpose of the modern state. Marx was right when he called Hobbes the father of us all.

No one can fail to feel the pull of this philosophical defense of the individual's autonomy. But is choice-making the highest good? To think so is to overlook the social nature of man—the disposition of human beings to pursue some vision of the human good in community with others across generations. It ignores the importance of culture as a framework for autonomy. As T.S. Eliot said, culture is that which makes life worth living. Autonomy presupposes a cultural background without which choice-making is meaningless. A culture links generations together and is structured not by autonomy but by involuntary subordination and deference to authority. I did not choose my parents, nor my native language, nor the loyalties and duties within my culture. These forms of involuntary subordination constitute the framework, if not the whole substance, of what I am. Autonomy, to be sure, is a good to be pursued, but it is a good constrained by the prior good of a whole way of life binding generations.

Since all forms of Enlightenment theorizing are hostile to the idea of involuntary subordination, they either ignore the priority of culture to autonomy or, in more radical forms, positively deny it. John Rawls teaches that the state must be neutral in respect to the good. Its sole task is to enforce those rights necessary for the individual's autonomy. The corporate liberties and rights of social authorities which are necessary to protect and cultivate a valuable way of life are entirely eliminated. The result is that any substantial morality comprehending a whole way of life is legally disestablished from the public realm and placed in the private feelings of individuals, who eventually become an aggregate of strangers. The moral nihilism prevalent in America today is not the triumph of philosophical arguments subverting moral standards, to be countered by reading *The Book of Virtues*; it is a social condition created by the legal disestablishment of morality by liberalism.

Just how firmly established this cultural and moral nihilism is can be measured by considering the popular dictum that America is not like other countries: It is an idea; a set of abstract rights; the first universal nation; or, as Lincoln put it, an association of people dedicated to a "proposition." This dictum is proudly but foolishly celebrated as showing the rationalist superiority of an American rights-based polity over other countries. It is boldly proclaimed by leaders of both parties, and it is taught in the public schools as a kind of American wisdom.

The ideal of individual autonomy as the end of the state, if consistently pursued, drives out culture because it drives out all forms of involuntary subordination and, consequently, undermines the authority necessary to protect and cultivate a valuable way of life. Eviscerating its own cultural inheritance as an embarrassing and oppressive tangle of prejudice and historical contingency, the modern state replaces culture with an ideological style of politics: liberalism, socialism, Nazism, Marxism, feminism, etc. The republic of the French Revolution and the former Soviet Union were also said to be regimes grounded in an idea, not a culture. They failed because no polity could be grounded in an ideology, which is nothing more than an aspect of a cultural inheritance about which one has become obsessive. Philosophical theorizing transmutes this aspect into the whole of experience: All history is the story of class struggle, or gender struggle, or race struggle, or a struggle for individual autonomy. In a country in the grip of an ideological style of politics, as the former Soviet Union was and America is today, a protracted cold war is necessarily waged against its own cultural inheritance. As an ideology eats away at a polity's moral substance, people gradually lose the knowledge of how to behave and begin down the path to Hobbes's war of all against all.

What does all of this have to do with states' rights? Hobbes rightly called the modern state Leviathan, and the mass of millions over which it rules was the result of crushing small states and consolidating them into larger units. Throughout history, human beings have lived in small polities. Plato, Aristotle, and Augustine, as well as contemporary experts from a variety of fields, have agreed that a polity has an optimal size beyond which it becomes dysfunctional. A city of 50,000 to 200,000 can produce all that human culture can afford: great art, music, architecture, literature, science, etc. Below this size, some activities cannot emerge; beyond it, crime and coordination problems increase geometrically; moral consensus breaks down; public spirit withers; bureaucracy appears; more and more time and energy is spent, not on cultivating the luxuries of a valuable way of life, but in working on the mere instru-

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mentalities necessary to maintain a bloated and monstrous growth. With a population of 50,000, Athens produced such a depth of culture that we still take some of our bearings from it. Florence, the center of the Italian Renaissance (itself the work of small city-states) had only around 40,000. Monster cities such as New York (eight million) or São Paulo (19 million) cannot produce the quality of culture of the small city-states of Greece or Italy. These are not places where a way of life is communicated across generations, enjoyed, and critically explored. They are vast encampments of Hobbesian nomads, each in pursuit of his own power and glory. Indeed they are not *cities* at all but Leviathans, at the service of even larger political galaxies. They have earned the new barbarous names of "conurbation," "metropolis," and "megalopolis."

What we call "states' rights" is usually thought of as a concept internal to American constitutionalism, but it may also be viewed as a symbol of all of those small polities and social authorities that have resisted being obliterated by the centripetal forces of modernity. The Bill of Rights was introduced to protect the corporate liberty of the states from encroachment by the center. The states delegated to the central government the power to regulate commerce, make foreign treaties, and provide for defense. All powers needed to protect a valuable way of life were retained by the states, including the right to establish a state religion. Congress was prohibited from establishing a religion, but the states were not. Indeed, Massachusetts maintained a religious establishment until 1833.

The Civil War and two world wars dealt a severe blow to state sovereignty and concentrated enormous power to the center. By the mid-20th century, the Supreme Court had ruled that the 14th Amendment "incorporates" the Bill of Rights—something that Raoul Berger, in *Government by Judiciary*, has shown the framers of the amendment most emphatically did not intend. This arbitrary ruling overturned a century and a half of precedent and turned the Constitution upside down. Instead of protecting the corporate liberty of the states from the central government, the Bill of Rights is now understood to protect the autonomy of the individual from the states.

With the "incorporation" doctrine, we entered the current era of abstract fundamentalist liberalism, where the center is controlled by a cultural elite engaged in a protracted cold war against traditional American society, legitimated by an ideology of individualism. The abolition of religion from the public life of the states was not only blatantly unconstitutional but evil as well. Christianity is interwoven in America's moral and legal traditions. Even from a humane, secular point of view, it is evil to subvert the fundamental traditions—religious or not—of a people's culture. But liberalism is not humane; it is a militant Enlightenment ideology. Liberal philosopher Richard Rorty has rightly said that a truly "liberal society . . . would be one in which no trace of divinity remained." This, too, was intimated in the modern state from the beginning.

The Constitution, as an instrument for protecting the sovereignty of states and local communities, has utterly collapsed. What began as a central government hedged in by a doctrine of enumerated powers has, since the Civil War, gradually become the greatest concentration of financial and military power in history. But it was not always so. By 1860, the central government had been generating a surplus for around 30 years. It imposed no inland taxes, living off a tariff on imports and land sales. The states imposed inland taxes, but they were mild, and local sovereignties flourished. In contrast, the public debt today is some $6 trillion, and the federal government's unfunded liability is some $16 trillion. Last year, the central government spent $1.6 trillion, considerably more than the entire gross national product of France. This vast sum was spent by only 435 representatives and 100 senators for a population of 265 million. (Switzerland, with under seven million people, has 247 representatives.) If the ratio of people to representatives that holds today had been in place in 1790, the House of Representatives in the first Congress would have had only five members! Major social policy is determined, not by the people in their state legislatures, but by nine unelected Supreme Court justices conjuring with the "incorporation" doctrine. Were such a regime described to us in the abstract, we should scorn it as an absurdity and as a tyranny.

What is to be done? Reform must begin by recognizing that the modern state is not a natural fate, but a highly artificial construct only 200 years old. Second, we must firmly reject the very foundation of the modern state. The massive concentration of power to the center (whatever its justifying reason) is itself evil. This concentration has been legitimated by an ideology of maximizing autonomy and destroying those substantial moral communities whose structures of involuntary subordination are offensive to liberalism. Few of us have not been seduced by the siren call of autonomy; to that extent, we are all complicit in the concentrations of power that have made possible the horrors of the 20th century. We must firmly deny that autonomy is the end of the state. The end of political association is protecting and cultivating a valuable way of life in community with others. Third, to say that a valuable way of life is prior to autonomy means a return (as much as is possible) to a politics of human scale. There must be a restoration of state and local sovereignty, including the right of a state, or city, or other significant social authority legally to resist encroachment by the center. Fourth, the language of liberalism (which has infected us all) and the philosophical superstitions it encourages should be abandoned. There are no inalienable natural rights of individuals—independent of the moral traditions of a people—that can guide action. Liberalism is simply one way of life among others to be defended in historic contexts. Liberalism (which includes most forms of "conservatism") must learn to tolerate illiberal forms of life. An illiberal polity would be any that does not absolutely value maximizing autonomy. That would include most regimes in history as well as earlier polities (such as 18th-century Whig Britain and the American federalism of the Framers) that thoughtfully explored and celebrated the practice of liberty. Liberals (and conservatives) must learn to accept a new form of toleration, not of individual "life plans" but of whole ways of life endowed with the sovereignty necessary to maintain themselves. Indeed, the entire language of liberalism and conservatism should be abandoned, as well as that of left and right. Historically, both of these presuppose a unitary state as the scene in which politics is played out. Conservatives such as George Will and William F. Buckley wish to control the central government in order to do good. The vision of genuine state and local sovereignty instituted by the Framers is entirely foreign to them.

If we have learned anything from this century, then the politics of the future will not be a struggle between the universalist ideologies of left and right but between the old rear-guard centralists of modernity (left or right) and the new decentralists. The language of this politics has yet to be framed. c

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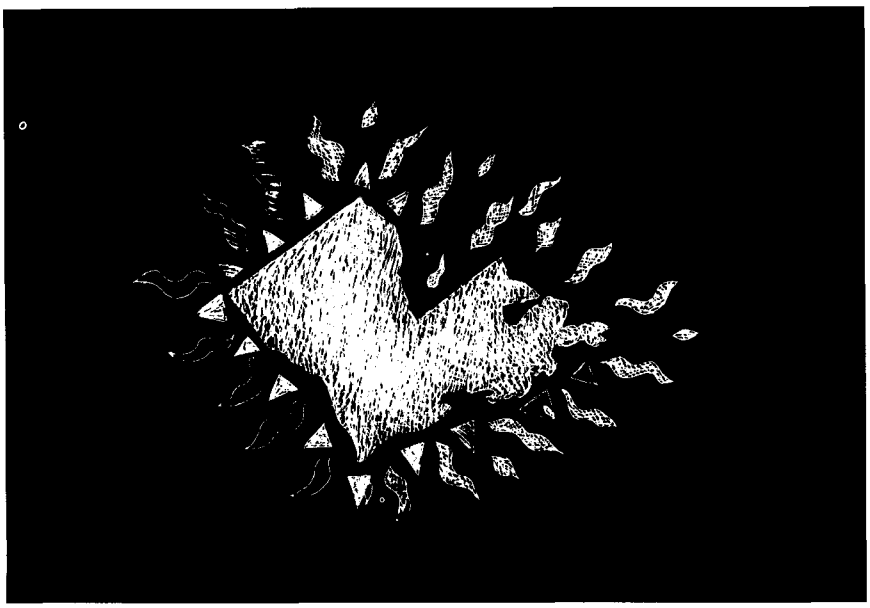
Cajuns Uncaged

Louisiana Declares Itself a Sovereign State

by Michael Dan Jones



H. Ward Sterett

While many modern historians, liberal politicians, and media elites would like to think that the very concept of "state sovereignty" died when Robert E. Lee offered his sword to Ulysses S. Grant at Appomattox Courthouse on April 9, 1865, the people of one state recently gave state sovereignty a ringing endorsement at the ballot box. On October 3, 1998, 56 percent of Louisianians approved Amendment 11, which declares:

> The people of this state have the sole and exclusive right of governing themselves as a free and sovereign state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States in Congress assembled.

The statement is now part of the Louisiana constitution's "Declaration of Rights."

While much disparaged by those who look upon the United States as one, indivisible nation, state sovereignty is a concept that dates back to the very foundation of the American confederation. That each state was "independent" and "sovereign" was claimed in many of the founding documents, including the Declaration of Independence, the Articles of Confederation, the Treaty of Paris, and, a little later, the Kentucky and Virginia resolutions. Many, if not most, of the Founding Fathers looked upon state sovereignty as an indisputable fact.

Senator John C. Calhoun of South Carolina greatly expanded upon and refined Thomas Jefferson's doctrine of states' rights. When the Southern states exercised their sovereign rights in 1860-61 to withdraw the powers they had delegated to the government of the United States and declared their independence, they believed they stood on firm moral, constitutional, and legal grounds.

In the recent election, voters in Louisiana showed that these beliefs are still deeply held by the people of at least one state. While other state legislatures have passed "Tenth Amendment" resolutions in recent years, the people of Louisiana actually affirmed what Jefferson Davis always called the "Cause of the South"—state sovereignty.

Louisianians have a long history of carefully considering proposed constitutional amendments and rejecting those they do not like. It is significant, therefore, that this one garnered support all over the state. The measure passed in 55 of Louisiana's 64 parishes. It won by a landslide in the central and southwestern parts of the state; fittingly, it garnered 74 percent of the vote in the southwestern parish of Jefferson Davis. In 23 parishes, Amendment 11 won 60 percent or more of the vote.

The amendment narrowly lost in several of the state's urban areas, including Orleans Parish (New Orleans), Caddo Parish (Shreveport), and East Baton Rouge Parish, though it received between 47 and 49 percent in each. But other urban areas supported it, including Lafayette Parish (Lafayette), Calcasieu Parish (Lake Charles), Rapides Parish (Alexandria), and Oua-

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Michael Dan Jones, a newspaper reporter in Lake Charles, Louisiana, is co-author of Lee's Foreign Legion: A History of the 10th Louisiana Infantry Regiment.

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chita Parish (Monroe).

Amendment 11 enjoyed widespread support among the state's elected officials, including conservative Republican Governor Mike Foster. (When Foster ran for governor in 1995, he set himself apart from the crowded field of candidates by strongly supporting Second Amendment gun-ownership rights and a concealed-carry law, which he signed into law after becoming governor.) All of the state's 39 senators but one (a Republican) supported the original legislation for the amendment, and all but seven (all Democrats) of the 105 members of the Louisiana House of Representatives supported it.

The only opposition came from left-leaning media elites, including some of the state's biggest newspapers. In the state capital of Baton Rouge, the *Advocate*, perhaps Louisiana's most politically influential newspaper, offered the most strident opposition. The newspaper's editorial urging rejection of the amendment bordered on hysterics. The editors lectured readers that "Americans fought a bloody Civil War to settle the issues raised by a proposed amendment to the state Constitution." They went on to castigate legislators for "thoughtlessly sending on to the voters a piece of political nonsense." (The outcome of the election castigated the media elites who think they know better than Jefferson, Calhoun, Davis, and the 260,000 Southerners who died fighting for this very principle from 1861-65.) The *Advocate*'s editors also called to task Senator Max Jordan (R-Lafayette), who originally proposed this "unnecessary and even dangerous" amendment.

Then they launched into a diatribe against the South, claiming that "Jordan's amendment unfurls the old South battle flag one more time." They played the race card by linking the amendment to segregation, and followed with a truly asinine statement: "We thought this fight was settled in the unpleasantness of 1865, and by the 20th-century decisions of the Supreme Court in the civil rights era."

To the newspaper's credit, the editors did allow Senator Jordan to respond and printed numerous letters to the editor regarding the editorial, all but one of which were favorable to state sovereignty. In his response, Jordan called the proposition "an important reaffirmation of states' rights," adding, "We have litigated so many things, it would be a good thing that we could point to in our own constitution." The state senator also argued that the federal government has trampled on the Tenth Amendment: "If we put [state sovereignty] in our own constitution, then it gives legal scholars, lawyers and the attorney general something we can point to on everything from abortion to the Brady Bill, mandates in education, etc."

Tommy Curtis of Lake Charles replied to the *Advocate*'s editors in a particularly perceptive letter:

> The *Advocate*, like so many who misunderstand the proper relationship of the Federal and State governments, sees any reference to States' Rights as a code word for Jim Crow, and a hearkening back to the dark days of segregation and legalized apartheid. This is a laughable, but oft used premise to defend the over reach of Federal power. True Federalism, which we don't live under anymore, is a compact of member States who agree to subordinate certain governmental powers to a central authority in certain specified common affairs. It does not mean a surrender of all sovereignty to the central government; this is what the framers understood, and is exactly what has . . . been perverted since the Revolution of 1861-65, commonly known as the Civil War.

Curtis went on to say that John C. Calhoun and Confederate Vice President Alexander Stephens understood the original intent of the Framers better than such nationalists as Abraham Lincoln and Andrew Jackson.

> Either we believe in the consent of the governed, or we don't. We should follow the lead of the John C. Calhouns of our day and thank State Senator Max Jordan for his courageous offering of an opportunity for Louisianians to remember that we were once a free people, even if the 10th Amendment to the U.S. Constitution is now simply a dead letter. With the right direction and leadership, the republic that has been lost might someday be revived.

Was the state sovereignty amendment just a meaningless feel-good measure, as some critics said? Dr. Michael Hill, president of the League of the South, claimed that it would be difficult to exaggerate the importance of the victory:

> We owe our compatriots in Louisiana a debt of gratitude for pushing through this amendment by a rather easy margin. Once our state constitutions contain such an amendment, then we will have solid ground from which to introduce the League's State Sovereignty Bill. We have been patient, and now things are beginning to go our way.

The state sovereignty amendment, however, is only one of many fronts on which Louisiana is challenging the federal government. One of the state's most recent efforts to nullify a federal action has been to block the attempt by the U.S. Department of Health and Human Services to nationalize the human-organ donation system. Louisiana has one of the most successful organ donation programs in the nation and one of the highest donation rates. The system is currently run by the private-sector United Network for Organ Sharing, which is operated by health-care professionals. If someone donates an organ, state residents get first priority; those in nearby states come second; and, if no regional matches are found, the organs are donated to those in other sections of the country. Louisiana already sends about a third of its donated organs out of state and ranks above the national average for donations. The state also has reciprocal organ-donation agreements with some other states.

Federalization would have meant a national system that would have given priority to the sickest patients, no matter where they are. Physicians in the program said this would likely have resulted in most organs going to five or six large metropolitan areas around the nation, while small state systems like Louisiana's would wither away. Dr. John McDonald, director of the Louisiana State University Medical Center transplant center, said that citizens of Louisiana who are unable to afford to go to one of the big national centers for transplant surgery would suffer if the new national program went into effect.

In a classic case of how a state can interpose to protect its citizens from an overreaching centralized government, Louisiana challenged the proposed system on several fronts. Legislators passed a law making it illegal for organs donated in Louisiana

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to be sent out of state without first checking to see if they are needed by citizens of the Pelican State. The legislature also passed a resolution directing state Attorney General Richard Ieyoub to challenge the legality and constitutionality of the federal regulation. The resolution stated that organs donated in Louisiana "are to be considered a state resource and used when possible as a resource in the state."

Ieyoub, who in 1977 donated a kidney to his youngest brother, agreed to initiate the legal action, arguing that the current decentralized state and regional system works well because it both promotes donations and makes the best use of the donated organs. Ieyoub said people are more likely to donate if they know it may help a relative, friend, or neighbor rather than going to a large city, such as Philadelphia, where it may possibly never be used. The attorney general flatly stated that, if the new federal system is implemented, the Louisiana donation system would be destroyed and people would die. The suit was filed, implementation of the federal program was blocked, and Louisiana's position was upheld by the Fifth Circuit Court of Appeals.

The *coup de grace* to nationalization was given by U.S. Representative Robert Livingston of Louisiana when he cosponsored legislation placing a one-year moratorium on the proposed federal program and then protected it during budget negotiations in Congress.

Probably no issue has more alienated Louisiana from the federal government than has abortion. The state has had a running battle with Washington over regulation of the most basic of all human rights, the right to life. While forced by *Roe* v. *Wade* to allow abortion in the first 13 weeks of life, Louisiana legislators have crafted some of the most restrictive abortion laws in the nation. After the first 13 weeks, abortions are allowed only "for the express purpose of saving the life of the mother," and in cases of rape or incest.

The state's latest battles with the federal government have been over taxpayer-funded abortions and the state's ban on partial-birth abortion. Last October, a 26-year-old Louisiana woman on Medicaid made national headlines when the state refused to pay for her abortion. The woman, who is awaiting a heart transplant, sought the abortion in the third month of pregnancy, but doctors at the Louisiana State University Medical Center in Shreveport refused to perform it because of a state law which prohibits the use of public funds for abortions unless the pregnancy puts the mother's life at risk or resulted from incest or rape. (Louisiana had been forced several years ago to offer abortions for Medicaid patients under the threat of a cutoff of all Medicaid money from Washington. However, the state placed the strictest possible regulations on Medicaid-funded abortions.) To obtain an abortion after 13 weeks, a panel of doctors must rule that there is at least a 50-percent chance that the mother will die unless she has the abortion. In this case, the abortion was denied. The National Abortion Federation in Washington, D.C., eventually covered the costs for the procedure, which was performed in Houston, Texas.

Still unresolved, as of this writing, is the Louisiana partial-birth abortion ban, which was blocked by a federal judge before it could be put into effect. When President Clinton vetoed a partial-birth abortion ban for the second time, the Louisiana legislature passed such a law for the state. Last November, in the U.S. District Court for the Eastern District of Louisiana, the state defended the law, arguing that a child in the process of being born has never been stripped of his personhood; *Roe* v. *Wade*, therefore, does not apply. Louisiana claimed the right to protect the child's life because pregnancy ended when the birth process began. "It comes down to how you decide when pregnancy ends and when birth begins," Assistant Attorney General Roy Mongrue told the court. The state's medical experts testified that pregnancy is terminated by the onset of the birth process. Partial-birth abortion would thus be infanticide, not abortion, and the state would have every right to regulate it.

Arguing for abortion proponents, Priscilla Smith, an attorney for the Center for Reproductive Law and Policy in New York, said the state was attempting to stop all abortions. "They are trying to change the constitutional definition of a person by moving up a few inches into the woman's body and defining a person to be a fetus partly within the uterus and partly out of a uterus even though it's in the woman's body," she said.

As the battles over partial-birth abortion and organ donation show, Louisiana's state sovereignty amendment was not an isolated, feel-good measure that means nothing, as some media elites would like to believe. Rather, it was a logical continuation of an ongoing struggle by Louisianians and most of their elected officials to recover some measure of their lost independence and states' rights. If other states follow suit, there may still be some hope of reviving the federalist system instituted by the Founding Fathers.

The Dead Poet

by Timothy Murphy

At last the path runs straight
from his hovel to the skies
and the bolted postern gate
of the Western Paradise
where seven times seven
Immortals judge a throng,
admitting some to heaven
for the pittance of a song.

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"All the News Unfit to Print"

Signs of the Times

Vol. 1 No. 4 April 1999

Back in 1994, a major news item proved unfit for publication in any "mainstream" media outlets in the United States. It concerned the possibility—which turned into a virtual certainty—that the Bosnian Muslim government staged the infamous "marketplace massacre" in Sarajevo, killing 66 of its own people. The U.S. government promptly blamed the Serbs. In subsequent months, a host of European papers published articles on the controversy. Lord David Owen and General Sir Michael Rose referred to an American-engineered cover-up. The American public—*Chronicles* readers excepted—remained oblivious.

Plus ça change. . . . In January, America was on the verge (for the second time in four months) of bombing the Serbs because of yet another stage-managed "massacre." This time the venue was the village of Racak, in Kosovo. From New York to Los Angeles, the media went into a state of righteous rage over the discovery of 45 dead Albanians, allegedly "civilians butchered in cold blood." The head of the OSCE observer mission in Kosovo, American diplomat William Walker, immediately blamed the Serbian police. Belgrade's claim that the 45 dead were in fact Kosovo Liberation Army guerrillas killed in a fire-fight was scornfully rejected as "Serbian propaganda." No attempt at "objective reporting" on Racak was made by any of the major dailies in the United States.

But according to Christophe Chatelot in *Le Monde* ("Were the dead in Racak really massacred in cold blood?" January 21), Walker and the Albanian side gave a "version of this event which does not answer many questions":

> Isn't the massacre of Racak too perfect? . . . The account of two journalists of the Associated Press TV, which filmed the police operation in Racak, contradicts this report. At about 10:00, when they enter the locality behind an armoured vehicle, the village is almost deserted. They progress along the streets under the fire of the gunners of the Kosovo Liberation Army . . . These exchanges of gunfire will last all the time of the intervention, with more or less intensity. It is in the woods that the main combat takes place. The KLA is taken in the siege.

At 3:30 P.M., the report goes on, the police complete their operation and leave the village under sporadic fire from the KLA. The Serbs estimate that there are 15-20 combatants dead on the KLA side. The Albanians come out from their shelters and go down toward the village. Three vehicles of the OSCE Verification Mission arrive. *Le Monde* points out that the Serbian operation "was neither a surprise, nor a secret": Journalists and OSCE observers were encouraged by the Serbs to witness the proceedings before the fighting started and allowed into the village afterwards, where they found only four lightly injured civilians. The night falls. With the police and verifiers gone, *Le Monde* reports, the events take an unexpected turn:

> The next morning, journalists and verifiers arrive and, guided by armed KLA fighters who regained the village, they discover the ditch with twenty bodies, mostly men. During the day William Walker arrives and expresses horror at "the crime committed by the Serbian police and the Yugoslav army." But many questions remain unclarified. How could the Serb police gather a group of men, and quietly direct them towards the place of the execution, while they were constantly under the fire of the KLA? How could the ditch at the edge of Racak escape the glance of the inhabitants? . . . And how come the observers, present for more than two hours in this very small village, failed to see the ditch? Why are there only a few cartridge cases around the corpses, and little blood in this sunken lane where 23 people were supposedly shot several times in the head? Weren't the bodies of the Albanians killed in combat by the Serb police, rather, heaped together in the ditch to create a scene of horror to ignite the wrath of public opinion?

In the same vein, Renaud Girard reported in *Le Figaro* ("Massacre under a cloud," January 20) that, "in view of a whole series of confusing facts . . . this matter deserves undivided attention":

> If one considers that an AP television crew was invited as early as 8:30 A.M. to film the operation, it seems that the police had nothing to conceal. The OSCE was also notified about the operation, and they sent two cars to the site. Verifiers spent the entire day on a hill, which offered a full-length view of the village. At 3:30 P.M. the police left the village, taking along a 12.7 mm heavy machine-gun, two automatic rifles, two snipers and some thirty Kalashnikovs, of Chinese manufacture.

Le Figaro also pointed out that the "massacre" was unveiled only the following morning, when the KLA was in full

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control of the village. They claimed that, on the previous day, police separated women from men, taking the men to the ditch and killing them on the spot:

> The AP TV journalists' testimonies, as well the material they have filmed, give an entirely opposite interpretation of this event. . . . After this, the surrounded KLA members were desperately trying to break through. . . . Maybe the KLA has thus wisely turned its military defeat into a political victory?

A similar account was published in *Die Welt* (January 22) and reported on the BBC World Service and Radio France International, among others. Commenting on the story, *Business Day*, South Africa's equivalent of the *Wall Street Journal*, remarked that "the electronic images beamed nightly into our sitting rooms" are used to dictate the style of foreign policy in the post-communist era (January 26). But who is wagging whom? In the end, journalists and politicians are merely complementing one another.

There is still hope: According to a BBC News report by Jonathan Duffy (January 27), most people—in Britain, at least—think that both journalists and politicians are liars. According to a major survey, politicians ranked only slightly higher than journalists in terms of trust.

While most of the balanced reporting on Racak has come from the French press, the French are not alone in their resistance to American interventionism on the side of the Muslims in the Balkans. In its main editorial on January 10, Rome's *La Repubblica* stated that the latest crisis was triggered by the Albanians, who had begun to provoke the Serbian army and police with hit-and-run attacks timed to coincide with the Orthodox Christian Christmas." Three militiamen were killed, and an officer and several soldiers of the Yugoslav regular army were seized.

> This provocation was an escalation whose ultimate objective is not to defeat the Serbs on the ground, but to bring them directly under the bombs of NATO aircraft sent by an Atlantic alliance that the Kosovo Albanians would like to secure as an outright military ally in their liberation struggle. . . . The most significant point, which the Serbs consider inalienable, is their "no" to Kosovo's independence, and in this they seem to enjoy substantial support from several NATO countries.

La Repubblica concluded that the KLA guerrillas will continue their attacks in an attempt to draw NATO into the fighting, but to no avail, since "America's propensity to military intervention against Serbia is not shared by its principal Mediterranean partners in NATO, first and foremost, France and Italy."

The Italians' lack of enthusiasm for the KLA cause may be partly due to an interesting aspect of the Kosovo conflict that the American press has ignored: The guerrillas are financed through an intricate network of Albanians who control the drug market in Italy. As the *Corriere della Sera* reported on January 19:

> Until he was locked up in solitary confinement . . . Agim Gashi—the 35-year-old criminal boss from Pristina and king of the Milan drugs market—supplied his brothers in Kosovo with Kalashnikov rifles, bazookas, and hand grenades. He controlled the heroin market, and at least part of the billions of *lire* he made from it was used to buy weapons for the "resistance" movement of the Albanian Kosovo community. . . . He rallied his Muslim brothers, Turkish heroin suppliers, to deliver the goods during Ramadan—a violation of religious rules for the sake of a more important cause: "to submerge Christian infidels in drugs."

Of course, whether Italy—and the rest of the West, for that matter—may still be described as "Christian" is debatable. Take the United States, for instance, where President Clinton issued the following message on January 19:

> THE WHITE HOUSE, Office of the Press Secretary—For Immediate Release: Warm greetings to Muslims across America and around the world as you mark the end of the holy month of Ramadan and celebrate the festival of Id al-Fitr. The month of fasting that you have just completed demands discipline and a spirit of sacrifice. But it also delivers a profound reward: the opportunity to show people of every faith what is precious about Islam—its charity, its generosity, and its essential humanity. All people in the world are moved by your observance of Ramadan and by the devotion and dignity that make Islam one of the world's great religions. As you welcome the appearance of the new moon and the close of Ramadan, Hillary joins me in extending best wishes for a memorable celebration and for peace, health, and prosperity in the year to come.

While we ponder what happened to the separation of mosque and state in Clinton's America, let us take heart from the fact that, in Europe, political incorrectness is apparently still alive and well. A cartoon superhero—"Captain Euro"—was recently launched to promote the new European currency to children and Internet users. (His adventures can be found on the Internet at *www.captaineuro.com*.) Captain Euro is a handsome male with chiseled features, a ready smile, and abs of steel. His companion is a blonde, blue-eyed bombshell, Europa Helen, a dead ringer for Posh Spice. Together, they fight an evil organization led by a sinister Dr. D. Vider—a Leon Trotsky look-alike—"who seeks to divide Europe and create his own empire." Dr. Vider's comrades include a dark-skinned woman, a gnome-like (whoops, vertically challenged) man, and others who share an unmistakably Levantine appearance.

Although the president of the European Parliament, Jose-Maria Gil-Robles, recently gave an interview to Captain Euro on topics such as the new currency and its impact on the European identity, respectable people are outraged. In England, an organ of the race-relations industry (*Searchlight*) described the cartoon as "an amazingly racist and xenophobic piece of trash."

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The Secrets of Liberalism

by William R. Hawkins

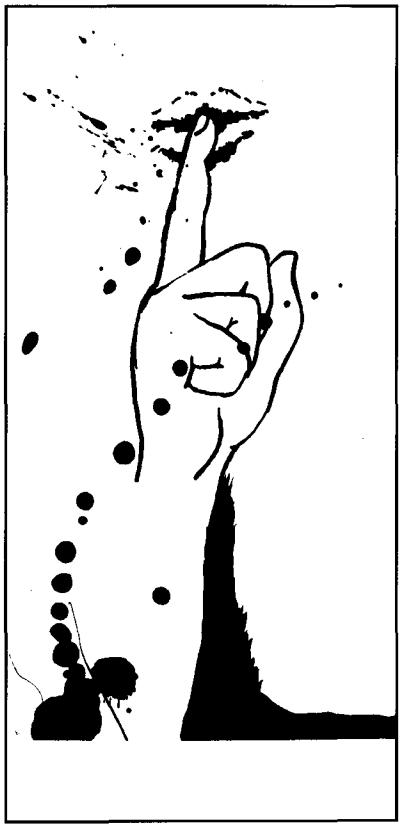
"A secret may be sometimes best kept by keeping the secret of its being a secret."
—Henry Taylor

Secrecy: The American Experience
by Daniel Patrick Moynihan
New Haven: Yale University Press;
262 pp., $22.50

◆

I was reading his new book when Daniel Patrick Moynihan announced that he would not seek a fourth Senate term in 2000. A university professor who served in every administration from that of John Kennedy to Gerald Ford, and as ambassador to India and the United Nations before being elected to the United States Senate from New York, Moynihan certainly possesses the qualifications to write a book on the history of American state secrets. Instead, he offers a short polemic (his part of the text runs only 168 pages) that wanders all over the map, not just topically but also in point of view.

The inspiration for the book is Moynihan's former service on the Senate Select Committee on Intelligence and his work as bipartisan co-chair of the Commission on Protecting and Reducing Government Secrecy; its focus is the classification of secrets during the Cold War. Richard Gid Powers, author of *Not Without Honor: The History of Anti-Communism in America* and several books on the FBI, stresses in his lengthy introduction (59 pages) that Moynihan is an "anti-communist liberal." What Powers means is that, while Moynihan deplored Soviet totalitarianism and denounced it in the strongest terms (especially during his tenure at the United Nations), as a liberal he was uncomfortable doing anything more than talking about it. This ambivalent attitude toward the Soviet menace is most evident in the two main lines of argument that Moynihan advances on behalf of his theme that secrecy, by limiting debate over policy to a small number of "cleared" insiders, has caused "some of our greatest political blunders."



H. Ward Sterett

In 1995, Moynihan was instrumental in releasing the Verona intercepts: messages sent by the KGB to its American agents in the 1940's and decoded by the Army's Signals Intelligence Service in 1946. They confirmed that the KGB operated an elaborate espionage ring that included Alger Hiss, Julius and Ethel Rosenberg, and other government officials and nuclear scientists. These cables were never shown to President Truman (whose administration was accused of being "soft" on Soviet "fellow travelers" within its precincts), let alone made public; the Army did not wish that its ability to break Soviet codes be known. Moynihan dismisses this justification of secrecy by claiming that the British traitor Kim Philby had already told Moscow that the United States was reading its mail. It is not clear, however, that Philby knew the details of the Army's operation, or that the Army was aware that its counterespionage effort had been compromised (if true).

Moynihan's first point—that, under guise of security, various bureaucracies horde information and fail to act on what they know (or to allow others to act)—is well taken (though it should be noted that Hiss, the Rosenbergs, and other spies were discovered and convicted without the Verona information). However, his second one—that the information should have been made public—is presented in somewhat naive fashion. Moynihan believes that the Verona cables would have turned the left toward anticommunism while undermining the

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right's claim to be the only source of patriotic sentiment. "If only the political liberals had known. If only those in the universities had known," he wails.

Known what? That the Soviets were trying to subvert the United States, along with the rest of the West? That the Communist Party USA was a tool of the U.S.S.R.? That those who were "duped" into taking a pro-Soviet line against the policies of the United States were helping the expansion of a hostile power? Can anyone really believe that it was only the failure to release a particular set of transcripts that kept people in the dark about these things? A few more government files would have been dismissed just as hotly as were the mountains of other evidence presented over the years. The left has never cared whom they were in league with against the evil American empire. Even after the Berlin Wall fell, a prominent leftist like Daniel Singer could write in the *Nation* that "the Soviet Union was the only check on the Pax Americana, the only external obstacle to U.S. imperialism . . . it is this chapter of Soviet resistance that is now coming rapidly to an end." Jeane J. Kirkpatrick had it right when she said that the collapse of Soviet communism

> as an alternative focus of loyalty, may eventually have an effect on the relationship of the American Left with the United States, but I doubt it. I believe the Left's attitudes toward America have influenced its attitudes towards Communism rather than the reverse. . . . I believe one of the distinctive attributes of the American Left is a broad, though not universal, alienation from the dominant American society and culture.

During the Vietnam War, leftists burned the American flag, raised the Viet Cong one in its place, and decorated their rooms with posters of Lenin and Mao. This open embrace of the enemy's cause led to a major breach of secrecy: the release of the Pentagon Papers. A dissident Defense Department employee, Daniel Ellsburg, gave a copy of what was to be an in-house history of the war to reporter Neil Sheehan, whose own radical views led him to advocate that American leaders be tried as war criminals. Did this sudden availability of information improve the quality of discussion? Just the opposite, in fact. Wild claims were made regarding what the massive collection of documents actually contained, with excerpts and contingency plans taken out of context to "prove" a conspiracy to wage an "aggressive" war on a "wider" scale. The abridged version ran 677 pages; the full study, to six volumes. Few people have ever bothered to read it, beyond those seeking to mine passages to support their preconceived opinions. As Richard Gid Powers notes, "Almost none of the minds changed by the Pentagon Papers ever came into contact with the words that supposedly constituted the proof of the conspiracy. Amazing."

Thus, Moynihan's argument that reducing secrecy will lessen the role of demagogues is not well supported even by his own examples. But the senator has another line of argument: that subjecting the data and analysis of government to the scrutiny of private specialists will improve their quality and prevent policymakers from basing decisions on erroneous assumptions. Again, there is much merit in this argument, at least in the abstract, and so a tendency has arisen to refer government studies to outside "Team B" criticisms. Once more, however, the central example that Moynihan uses demonstrates the extent to which his liberal ideology has clouded his mind. He subjects the CIA to heavy fire for overestimating Soviet capabilities during the Cold War, in particular by portraying the economy of the Soviet Union as stronger than in fact it turned out to be. Moynihan places great emphasis on a 1957 study predicting that rapid growth would move the Soviet economy from one-third to one-half the size of the American GNP by 1980. After that, according to the report, Soviet growth, while slowing, would still reach parity with the United States by 1998. Of course, this didn't happen. In the 1980's, Soviet growth didn't just slow, it ended. (By the time of its collapse, the economy of the U.S.S.R. again amounted to about one-third that of the United States.)

Yet this failure of analysis can hardly be attributed to secrecy on the part of the American government. Economic overestimates were common in academic circles too, especially among those on the left who were keen to demonstrate the superior growth potential of central economic planning. Straight-line projections have been common in other contexts, most recently in the unforeseen collapse of the Pacific Rim economies on which far more data was available than was the case with the Soviet Union. Hordes of analysts with billions in investments at stake pored over this information in detail—yet the consensus view predicting continued robust growth held up until the collapse was well under way. Faddish claims, popular in corporate circles, that China will have the world's largest economy by 2020 will probably also prove wrong.

Moynihan's concern, finally, is less with faulty economic analysis than it is with what he regards as the excessive military spending which flowed from it. Noting that American tourists had discovered how poor the U.S.S.R.—where food, clothes, and housing were in short supply—really was, he characterizes the prevalent assumption as being that, while Moscow was certainly capable of causing us trouble, "it was trouble we could handle." No need to panic, and certainly no need to run up huge budget deficits to finance President Reagan's military buildup. We only needed to sit back and wait for the Soviet Union to collapse beneath its own weight, which Moynihan asserts was George Kennan's message in his famous "containment" article in *Foreign Affairs* in 1947.

The problems with this view, unfortunately, are legion. That it was hard to find meat in Leningrad didn't mean there weren't 13,500 Soviet tanks supported by 5,600 tactical aircraft in service in 1985, the peak year of the Reagan defense budget. Indeed, it was the priority given to military expansion in the U.S.S.R. which precluded the provision of consumer goods. The Soviets, though aware of their inferior economic position, were still determined to attain military superiority. In 1928, Soviet military theorist M.N. Tukhachevsky laid the intellectual foundation for aggressive war as a means to redress the underlying economic imbalance between the U.S.S.R. and the West when he wrote, "The occupation of new territory—an expansion of the military-economic base—may bring about a change in relative strengths." The building of a first-strike nuclear capability and the reinforcement of forward-deployed Red Army units in East Germany, poised to drive into Europe's industrial center with minimal warning, were confirmations that this view was still dominant a half-century later. Of course, the United States had

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faced a similar danger before. The Japanese strategists who planned the Pearl Harbor attack were aware that their economy had only one-tenth the war potential of the American one. Nevertheless, by concentrating their resources on the military, they had attained regional superiority and sought to convert that advantage into geopolitical gains by a preemptive strike against an unprepared America.

The Reagan strategy, based on Soviet weakness rather than Soviet strength, was not developed from a false assumption. A Defense Department assessment put Soviet computer technology ten years behind that of the United States. By exploiting America's high-tech advantage across the military spectrum, from precision-guided munitions to antimissile defense, the United States could dash any Soviet hope for military success, enforce the policy of containment, and bring the internal contradictions of the Soviet system to a boil. All this was far more in keeping with Kennan's actual strategy than it is with Moynihan's interpretation of it. It was because the Soviet Union was "by far the weaker party" that Kennan advised the United States "to increase enormously the strains under which the Soviet policy must operate" by "the adroit and vigilant application of counter-force."

Moynihan complains that, while "The missile gap turned out not to exist, [nevertheless] nearly four decades later the United States is still contemplating modes of missile defense." Yet the missile gap *was* real when Reagan initiated the Strategic Defense Initiative, and even without a "gap" the fact that hostile powers can obliterate large parts of America is cause enough to develop defenses against such attacks. The mere fact that several of the countries developing nuclear-armed missiles have economies a fraction of the size of ours does not of itself preclude our taking defensive measures. As the Rumsfeld Commission recently concluded,

> Concerted efforts by a number of overtly or potentially hostile nations to acquire ballistic missiles with biological or nuclear payloads pose a growing threat to the United States, its deployed forces and its friends and allies.

Interestingly enough, the Rumsfeld Commission was an "outside" group of experts chartered by Congress to do the very kind of independent examination of official policy that Moynihan's case for reduced secrecy is meant to foster. The commission's finding that "The threat to the U.S. posed by these emerging capabilities is broader, more mature and evolving more rapidly than has been reported in estimates and reports by the Intelligence Community" could have come from Moynihan's own book, had the senator been of a mind to cite this kind of example. That he wasn't—for the reason that his political agenda would not have been advanced thereby—tells us, in truth, more about the nature of liberalism than about the dangers of secrecy.

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Biological Morality

by David Gordon

Consilience: The Unity of Knowledge
by Edward O. Wilson
New York: Alfred A. Knopf;
332 pp., $26.00

◆

Edward Wilson views the humanities today with alarm. In the hard sciences, the pursuit of objective knowledge remains the order of the day. Not so in literary studies, where deconstruction dissolves hard facts into arbitrary perspectives.

> Each author's meaning is unique to himself, goes the underlying premise; nothing of his true intention or anything else connected to objective reality can be reliably assigned to it. His text is therefore open to fresh analysis and commentary issuing from the equally solipsistic world in the head of the reviewer.

Mr. Wilson, a world-renowned biologist, will have none of this: In the sciences, we have just the sort of knowledge our literary nihilists declare impossible. When, through painstaking study, Wilson discovered that ants communicate by releasing chemicals called pheromones, he was not adding a new fantasy to the world's stock of stories; to the contrary, he had found out a hitherto unknown aspect of the natural world. Moreover, Mr. Wilson maintains, the facts that scientists have discovered, and the theories they have devised to account for them, fit together to form a coherent world outlook. He designates this unified view with the recondite word "consilience," which he has taken from a 19th-century British philosopher, William Whewell.

Mr. Wilson is, of course, free to adopt the terminology he wishes, but one wonders why he employs a term Whewell intended for an entirely different use. As a glance at his own quotation from Whewell suffices to show, by "consilience" the philosopher meant several "inductions"—generalizations from empirical data—supporting a common theory: Mr. Wilson, by contrast, means that the *theories* of the various sciences comport well with one another.

In what way? Physics is the most basic science: Its laws govern all matter. Consistent with it, scientists have devised an account of the origin of our universe from the Big Bang. And, of course, science does not stop here. Biological life and, later, consciousness arose from nonliving matter, in the way Darwinian biology has elucidated. Here, it is safe to say, Mr. Wilson's heart is to be found. The evolutionary story lies at the center of the consilient outlook that Wilson wields against the deconstructionists. By resort to the wonders of evolution, especially as this concerns the human brain, the tangled problems of philosophy may be solved and objective knowledge vindicated.

Mr. Wilson's defense of science against "social constructionist" detractors commands our admiration. But his attempt to dissolve the world-riddle through evolution succeeds no better than that of his great predecessor Ernst Haeckel. Though widely read in philosophy (especially the works of sympathetic theorists such as the Churchlands and Daniel Dennett), Wilson has little understanding of how philosophical argument proceeds. He writes, for example:

> The canonical definition of objective scientific knowledge avidly sought by the logical positivists is not a philosophical problem nor can it be attained, as they hoped, by logical and semantic analysis. It is an empirical question that can be answered only by a continuing probe of the physical basis of the thought process itself.

How can he say such things? The conclusions of brain science are themselves, obviously, statements. What does it mean to say that *they* are true? What is further resort to the anatomy or physiology of the brain supposed to tell us? Mr. Wilson has confused a problem of the theory of knowledge—what is truth?—with another issue, to which the workings of the brain may indeed be relevant—what is consciousness?

Ethics, as Mr. Wilson sees matters, may also be disposed of quickly:

> John Rawls . . . offered the very plausible premise that justice be defined as fairness, which is to be accepted as an intrinsic good. . . . But in making such an assumption, Rawls ventured no thought on where the human brain comes from or how it works. . . . I find it hard to believe that had Kant, Moore, and Rawls known modern biology and experimental psychology they would have reasoned as they did.

Once more our author rides his hobby horse. How can an elementary moral truth, e.g., "It is wrong to torture babies for fun," be set aside (or for that matter confirmed) by an account of what goes on in the brain? Is the immorality of mass murder a conjecture dependent on the results of neurology for confirmation?

Mr. Wilson speaks slightingly of moral intuitions and what he is pleased to call "secular transcendentalism." But the biological account of morality that he proposes to substitute for the unscientific vaporings of Kant and similar amateurs is palpably inadequate. He has a very plausible account of how rules that maximized the inclusive fitness of our ancestors during the Pleistocene might have developed, but what has this to do with the moral principles that we should now adopt? Evolutionary stories of the sort our author favors are powerless to account for the Golden Rule: Inclusive fitness can, at least *prima facie*, explain only altruistic actions among small groups.

Mr. Wilson may respond that this objection assumes the truth of the transcendental view he rejects, but the point is not so easily evaded. He himself eloquently advocates efforts to preserve a wide variety of species from destruction. How can he account for his own conservationist principle on the evolutionary theory he espouses? Whatever its merits, Mr. Wilson's biophilia has little to do with the inclusive fitness he thinks central to ethics. If he dissents, what is his argument?

Like ethics, religion must also be sub-

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sumed within biology. Wilson grew up as a devout Southern Baptist; in his adult years, however, he has "put away childish things" and found in his consilient worldview adequate solace and sense of purpose. He is not an atheist: "On religion I lean toward deism but consider its proof largely a problem in astrophysics"! Nevertheless, God—whatever He may be—has nothing to do with our life on earth.

Mr. Wilson fails once more to slay the transcendentalist dragon. In a well-written dialogue between a Transcendentalist and an Empiricist, he has the former say:

> Where do the laws of nature come from if not a power higher than the laws themselves? . . . Put another way, why is there something rather than nothing? The ultimate meaning of existence lies . . . outside the province of science.

Here, for once, is excellent philosophy; unfortunately, Mr. Wilson passes by this argument entirely when the Empiricist speaks. The imperatives of consilience and reductionism will not be denied.

When Wilson sticks to science, his work is valuable and illuminating. He quickly demolishes a key tenet of Freudian psychology, using the "Westermarck effect," and he has wise things to say about the excesses of Franz Boas and his school of anthropology. If only he had left philosophy alone!

David Gordon is a senior fellow of the Ludwig von Mises Institute and the editor of the Mises Review.

Feeling Like Russians Again

by James George Jatras

The Russian Question: Nationalism, Modernization, and Post-Communist Russia
by Wayne Allensworth
Lanham, MD: Rowman & Littlefield; 368 pp., $69.00

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"The status of the American Negro is that of an oppressed national minority, and only a Soviet system can solve the question of such minorities," William Z. Foster, long-time chairman of the Communist Party, U.S.A., wrote in his 1932 book, *Toward Soviet America*.

> Accordingly, the right of self-determination will apply to Negroes in the American Soviet system. In the so-called Black Belt of the South, where the Negroes are in the majority, they will have the fullest right to govern themselves and also such white minorities as may live in this section.

Thus, by sheer sleight of hand, an ethnic majority would be transformed into a minority on its own home territory.

Thankfully, Foster and company never got the opportunity to enact their program for rectifying what they believed to be America's irredeemably racist past. But suppose they had? Following the model actually put into effect by the Soviet Union on the territory of the former Russian empire, it is not hard to see how this principle would have worked out in practice: an African-American republic in the Deep South, a Spanish-speaking republic in most of the Mexican Cession, large territories in the West assigned to various Indian nations ("Navajo Autonomous Republic"), small francophone enclaves in Louisiana and northern Vermont and Maine, and so forth—all under the tight control of an avowedly non-national, even anti-national, regime determined to efface any memory of the former American nation. A truncated "American" (i.e., white, English-speaking) republic would occupy most of the Midwest, Upper South, and Northeast, itself riddled with autonomous regions for Indians and real or imagined ethnic minorities, like Pennsylvania Germans, Chicago Poles, and Cape Cod Portuguese. Even within the borders of this rump America, the residual non-minority American identity, still suspect as the former oppressing power, would be subject to unblinking scrutiny for any signs of reawakening chauvinism.

And now, suppose that—after the better part of a century—the whole system were to collapse, and all the arbitrarily drawn lines to become the borders of internationally recognized states. The resulting "America"—that is, the territory that had not been assigned to one or another of the formerly oppressed minorities—finds itself the mutilated remnant of its former, pre-Foster domain, while millions of non-minority Americans, literally overnight, find themselves "foreigners" under the not-too-tender rule of African-American, Hispanic, etc., governments, which consider their very

"Who are we?" is a question that has haunted Russians for centuries. The crisis of identity that underlies Russia's efforts to answer that question and the country's attempts to grapple with modernity—the inventions of an alien civilization—are explored in this timely book. Russia's response to the universal challenge posed by modernization's erosion of community has been to fall back on that most enduring bond of human association—the kinship tie—as Allensworth here defines nationalism. The author draws on rare Russian sources to explore the various ways nationalists have responded to modernization and to chart a likely course for Russia's future development. From National Bolshevism to Christian nationalism, from Zhirinovskiy to Solzhenitsyn, this study ties the ideas and ideologies of nationalism to the question that produced them and cements their connection to the crisis of modernity.

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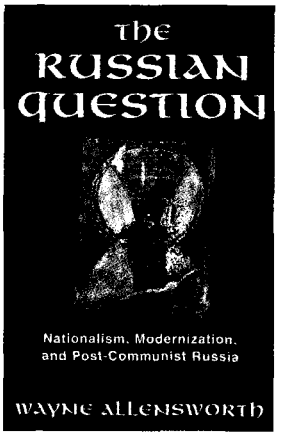

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presence an offense to their "national" dignity. Is there any doubt that, among non-minority Americans, there would be a nationalist reaction, not only over the treatment of dispossessed "Americans" in the minority-ruled statelets but against the dismemberment itself?

This, roughly, is the position that Russia and the Russians now find themselves in, with the dismantling of the Soviet Union. To be sure, as Wayne Allensworth insightfully describes the spectrum of Russian national opinion, there has been a reaction against the vivisection of Russia's national territory that occurred in 1991, by which the Soviet regime was finally laid to rest. Yet what is surprising is not that this reaction has occurred but that, given the increasing misery into which most Russians have been plunged in the post-Soviet era, it has not been a more forceful one. A stock theme of some of the more extreme (and numerically insignificant) nationalist elements, such as Aleksandr Barkashov's proto-Nazi movement, Russian National Unity, is the international anti-Russian conspiracy, in which

> the United States works in concert with the International Monetary Fund (IMF), the U.N., NATO, and an internationalist-oriented elite in the mass media to undermine Russian sovereignty, military security, and cultural identity.

Given, however, the role of U.S. "experts" in turning Russia's post-Soviet privatization into the biggest looting of a nation's resources in world history (estimated by some authorities at upward of $400 billion), coupled with a U.S. policy (begun under Bush but compounded under Clinton) that is cynically contemptuous of Russia's legitimate interests in the Caucasus, the Balkans, and the "near abroad" (that is, the newly independent states, first delineated as administrative subdivisions within the U.S.S.R. by Lenin and Stalin, the borders of which the United States now considers sacred), and the threat posed by an unnecessary and gratuitous expansion of NATO, the mystery is not why some Russians go in for conspiracy theories but why most have not—yet. (Back in the days of communism, the United States meekly acquiesced in the "Brezhnev Doctrine," under which the Soviet Union had the right to ensure that socialist states would remain eternally socialist. But today, not only is post-communist Russia not entitled to a Monroe Doctrine in its own neighborhood, it is regarded as aggression *per se* if Moscow objects to the establishment of an American sphere of influence in areas vital to Russia, but of negligible importance to America.)

Allensworth, a Russia analyst at the U.S. government's Foreign Broadcast Information Service, is superbly equipped to explain the complexities and nuances of the kaleidoscopic variations of Russian nationalist opinion. Allowing, perhaps, the wish to become father to the thought, Allensworth confronts the dominant anti-nationalism of American policy—anti-nationalist in its hostility not only to Russian nationalism but to American nationalism and to every other manifestation, in any country, of a patriotic consciousness not completely subordinate to globalist ideology—with the fact (or at least the hope) that Russia is down but not yet out. "Russia is at a crossroads. A choice must be made, not between nationalism and internationalism but between Russian nationalisms." From among the contenders to succeed the terminally decrepit Boris Yeltsin and his hopelessly corrupt U.S.-supported regime, he clearly prefers retired general Aleksandr Lebed, now governor of Siberia's Krasnoyarsk region and a leading advocate of what Allensworth calls "reform nationalism." As the most constructive variant of nationalist opinion, reform nationalism, Allensworth suggests, not only can restore Russia to the status of a respectable great power in a very dangerous neighborhood; it has the moral authority to pull the country out of the domestic morass into which it has sunk. Echoing Aleksandr Solzhenitsyn, the acknowledged godfather of Orthodox Christian patriotism in Russia, Lebed believes that a healthy Russia must be reestablished on authentic national traditions—notably, the mutual reinforcement of the army and the Church. (While Solzhenitsyn is, of course, a professed Orthodox Christian, Lebed, so far as this reviewer knows, has never declared his religious faith. He has criticized former Soviet *apparatchiki* who have opportunistically rushed to declare themselves believers in the post-communist era; on the other hand, Lebed was the only presidential contender to attend the recent interment of the royal martyrs, Nicholas II and his family, at the Peter and Paul Fortress in St. Petersburg.) As Lebed puts it in his autobiography:

> So let us remember what Russia stands on, and return the Church, which was separated from the state, to its bosom and create a powerful spiritual state institution. And seriously, thoughtfully, as we can be when we want to be, let us reform the army and bring it back to its former might and grandeur. The Church strengthens the army; the army defends the Church. And on this restored spiritual axis—the two forces of our great power—we can begin to feel like Russians again.

To feel like Russians again. It is hard to read Allensworth's book without mentally comparing, more than once, the parallels between nationalism in Russia and the quandary of American national identity. When will we be permitted to feel like Americans again? While Foster's Soviet-style plan for American denationalization never made it past the drawing board, other programs, structurally different but kindred in spirit—multiculturalism in education, multilingualism, affirmative action, dual citizenship, uncontrolled immigration—have confused and demoralized Americans' national consciousness. In the final analysis, despite the genocidal ministrations of the Soviet regime and the dashed hopes of de-communization, Russians still know they are Russians. Yet how many Americans, by comparison, can describe with any degree of coherence who we are as a people? Indeed, apart from the universalist cant about "one nation, many peoples" that has become *de rigueur* in public discourse today, is it even permissible to speak of an American "nationality" at all?

The question is hardly an idle one. Allensworth aptly closes his book with a chapter on "The Global Regime and the Nationalist Reaction":

> The conclusive stage of the economic, political, and social rationalization that began in early modern Europe is its globalization. The fear that all nationalists express of the developing hegemonic global monoculture is inextricably tied to their intuitive grasp of the fundamental meaning of modernism's final drive toward dominance: The real question facing

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both the Russians and other nations is the question of survival.

The fact that Russians are addressing that question—sometimes, admittedly, in reprehensible (the Nazism of Barkashov), unattractive (the "national bolshevism" of communist leader Gennadi Zyuganov), and bizarre (the ranting of "liberal democrat" Vladimir Zhirinovsky) ways—is itself unacceptable to the global managerial elite that dominates their country and ours: hence Russian nationalism's bogeyman status among the "democratic" intelligentsia of America and Russia alike. If Allensworth is right in believing that a nationalist of some sort will come to power after Yeltsin, we can expect a full-blown "Who Lost Russia?" hysteria from the globalist apparatus in Washington, and maybe even a new Cold War. But a survey of the current American political scene, alas, offers little hope that the globalists may soon be crying in their Perrier, "Who Lost America?"

James George Jatras is a policy analyst at the United States Senate. The views expressed are his own and do not represent any Senate member or office.

Our Demographic Destiny

by Scott McConnell

A Question of Numbers: High Migration, Low Fertility, and the Politics of National Identity
by Michael S. Teitelbaum and Jay Winter
New York: Hill & Wang; 290 pp., $26.00

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If dispassion is the tone best suited for writing about contentious ethnic and demographic issues, this lucid survey of the numbers question across much of the Northern Hemisphere deserves every plaudit. With palpable restraint and sometimes maddening equivocation, demographer Michael Teitelbaum and historian Jay Winter survey the intertwined issues of birth rates, immigration, and other factors contributing to demographic instability in nine countries, where the resulting conflicts range from the relatively muted (in France, England, Germany, and the United States) through the more nettlesome (Canada, Russia, and the former Soviet Union) to the downright horrific (the former Yugoslavia). The authors are plainly aware that expressions of uneasiness concerning these issues may either be demagogic or inspire accusations of demagogy, and that in establishment circles throughout the contemporary West it is considered bad form to worry publicly about the demographic decline of one's own group. For this reason, they write as the most cautious professors: to inform, not to alarm. While they occasionally point to the deeper and more contentious questions raised by their subject, they nearly always step back from the brink, refusing to venture answers of their own. Nevertheless, their work does convey that something very significant is going on throughout the Western industrialized world. As Teitelbaum and Winter claim, "every country's public life is vitally affected by demographic issues," and the Western developed countries, having surmounted (often painfully) the traumas of industrialization, nonetheless face "an uncertain future" as their internal ethnic balances undergo dramatic shifts.

Nearly all Western countries have low birth rates, often combined with high and rising levels of immigration. The authors begin with Germany, where fertility rates dipped below replacement level (an average of 2.1 births per woman) in 1970 and kept dropping through the mid-1980's. The idea of German citizenship—forged in the 19th-century unification battles—is based on a community of common descent. Thus, guest workers from Turkey and elsewhere who migrated to West Germany in the 1950's were never considered German, nor were their children. In the 1980's, asylum seekers from all over the Eastern Hemisphere began to enter the country. These migrations would surely have seemed less significant were the Germans themselves not shrinking in number. When hoodlums engaged in sporadic violent attacks against the migrants in the early 1990's, they found a considerable cushion of popular support. As one German banker notes, "Of course we need foreigners, but how many? Our elites have not been able to come up with good explanations for the fears people have about Germany's future." At present, the political establishment seems to have coalesced around a sensible middle ground: expanding the eligibility for German citizenship to include the long-resident Turks and others, while reducing the flow of new immigrants. But as long as ethnic Germans do not

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want many children of their own, the question of whether "the Germans are dying out" (the subtitle of a Günter Grass novel) will remain pertinent.

French intellectuals and politicians have been grappling with a sense of demographic decline for much longer: Since the Revolution, France's population has grown more slowly than that of its neighbors (though it is now higher than Germany's) and her relative power has been shrinking as a result. Pro-natalist policies have a long pedigree, and even specialized debates between demographers attract public attention. Virtually all major parties value an idea of French culture linked to the nation's past, and it is not surprising that France was the first country to generate a hefty protest party against Third World immigration. Whether this kind of national self-consciousness will actually help the French navigate the demographic shoals ahead is, of course, another matter.

In England, the political class seemed ready to overlook the fact that it was playing host to a growing, unassimilated Muslim population until 1989, when Salman Rushdie's novel *The Satanic Verses* earned the author a *fatwa*, or death sentence, from Muslim clerics. In the weeks that followed, Englishmen were forced to acknowledge that there were hundreds of thousands of people living in their midst who favored putting an author to death for writing a book. Teitelbaum and Winter go right to the heart of the issue, asking, "Is Islamic belief compatible with citizenship in a Western country?" They give no answer but remind readers that, when Enoch Powell raised a similar question 30 years ago, he was kicked out of the Tory leadership: The issue was simply too charged for a political class operating within very fixed, unspoken assumptions about the proper boundaries of political debate. While distancing themselves from Powell, Teitelbaum and Winter admit that the question he put forward was entirely legitimate.

When the authors pass to the East, they find so few restraining barriers on demographic debate as to make one rue their absence. In the states of the former Yugoslavia, all contending factions keep track of the relative demographic weight and fertility rates of their rivals. Similarly, disparities in birth rates between Russians and non-Slavs are ever on the Russian mind. In the Soviet era, planners faced the vexing problem of developing family policies to encourage Russian mothers to have more children while lowering the much higher fertility rates in Muslim regions. This (perhaps impossible) task ended with the collapse of the Soviet Union. Still, Russia's present situation cannot but breed despair. Aleksandr Solzhenitsyn himself wrote eight years ago, "Everyone knows our deaths surpass our births, and we shall disappear from the earth." It is an arresting formulation, put forth by a man who has never shrunk from speaking the truth as he sees it. Those trends, of course, have only worsened since then.

Turning to the United States, the authors provide a lucid and concise discussion of the failure of immigration reform to take hold. They quote an "open borders" advocate, the late economist Julian Simon, who acknowledged that, if the American people had their preference, the highly restrictionist immigration laws enacted in the 1920's would never have been fully lifted. But America's choices in this realm are not governed by the general will. On the right, the dominant ideological tendency is what the authors label "conservative libertarianism" and "cornucopianism": roughly speaking, the more people—producers, consumers, whatever—the better. (Similarly, the cultural nationalism at the core of all the major European conservative parties is comparatively weak.) On the left, civil libertarianism and the civil rights lobbies drive the agenda; the United States has no democratic socialist heritage to speak of and thus no major institutions inclined to stress the negative impact of immigration on working-class wages and living standards. Congressmen, meanwhile, pay more attention to the highly motivated five percent—often those mobilized by ethnic or business lobbies—and retreat from immigration reform as soon as pressure is applied to them. Thus far, movement toward greater restriction has emerged only in the aftermath of populist and grassroots insurgencies, such as that which provoked California's Proposition 187.

In Canada, where ethnic divisions are geographically rooted and officially sanctioned through linguistic policy, the political system is skating on the edge of breakdown. In 1993, the mainstream conservative party suffered virtual electoral collapse, induced at least partially by its failure to persuade voters it had any plan to deal effectively with either Quebecois separatism or immigration—a warning, perhaps, that ethnic issues can retaliate with startling suddenness upon conservative establishments regarded as too accommodating by the electorate.

Teitelbaum and Winter make no policy recommendations beyond expressing the hope that decisions regarding immigration, asylum, birth control, and natality policies will be based on knowledge rather than emotion. They do, however, bring home the point that these issues will remain at the center of Western political life for a long time to come. In the short and medium term, economic progress in poorer Southern countries will increase migration pressures rather than diminish them, since people raised to a slightly higher standard of living know more of the outside world, have greater access to transportation, and have more money to pay smugglers than they had formerly. Low fertility rates throughout the West ensure that even modest rates of immigration will cause noticeable shifts in the demographic balance, and inevitably many Westerners will come to feel that their national identity is threatened. As for potential panaceas, the authors note that no government has had any success in raising its country's birth rate. To this somber prognosis, the authors append a warning: Politicians who seek "partisan" advantage in speaking about the powerful forces of demography are "playing with fire."

Of course, not everyone will heed this advice: California Democratic Party state chairman Art Torres, for example, boasts that, because of demographic changes, Proposition 187 is "the last gasp of white America in California." (The recent appearance of triumphalist Latino rhetoric illustrates this book's central themes; failure to analyze or even mention it may be its most significant lapse.) Nor will the Russian nationalist Zhirinovsky—who has vowed to sire children in every department where his party has a headquarters—likely avoid partisan posturing with regard to the demographic question. So the counsel of caution and restraint is really intended for the leaders of the mainstream parties of Europe, Canada, and the United States. But if these issues are as vital as Teitelbaum and Winter maintain, it is hard to see how politicians can fail to address them without sacrificing their own political relevance.

Scott McConnell writes from New York.

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by Samuel Francis

Gleichschaltung

When a new religion displaces an old one, the gods of the old faith become the demons of the new. So it is with the demigods and heroes as well, and as new cultures, races, and nations begin to blossom where once the fruits of European and American civilization flourished, it is not surprising to see the myths of the old civilization fade and those of the new take their place. As in all revolutionary transformations, this one is not led by the mass population of the new civilization (if that is quite the right word for what is emerging) but by a vanguard drawn from the wreckage of the old civilization that is being subverted and destroyed—or, as we now primly put it, "deconstructed."

The transformation is clear enough in religion itself, with the conversion of the mainstream churches and their clergy into active partisans of the enemies of their nation, people, and civilization, but it is increasingly obvious also in the redefinition of the secular heroes and icons of the civilization. Thus, influential writers like Conor Cruise O'Brien can now attack Thomas Jefferson for his "racism" and his commitment to small government, localism, and states' rights, and the subtext of last year's reportage of genetic testing that supposedly "proved" (it did nothing of the kind) Jefferson's paternity of a child by his slave Sally Hemings was the discrediting of Jefferson as an exploitative hypocrite as much as it was the legitimization of President Clinton's goatishness.

But Jefferson is not the only hero of the old civilization to be demonized. In 1997, a public school in New Orleans removed the name of George Washington because Washington was a "slaveowner." This immediately spawned a small crop of columns by various neoconservatives who whined that, yes, he was, but he was a kind slaveowner, thereby missing the whole point: Washington (and Jefferson, too) violated the central doctrine of the New Order, to which both the left and most of the right now adhere—the equality of human beings.

This was precisely the argument advanced by Columbia University law professor George P. Fletcher in an article in the *New Republic* in 1997. Mr. Fletcher maintained that the old Constitution, which such demons as Thomas Jefferson and Timothy McVeigh supported, was abolished by the Civil War and that Lincoln's Gettysburg Address "signals the beginning of a new Constitution" in which "equality, absent from the original document, comes front and center . . . the United States evolves from an elitist republic into a democracy 'of the people, by the people, for the people.'" Mr. Fletcher's argument is almost exactly the same as that of his "conservative" counterpart, Harry Jaffa, who has been spouting the same view for decades and whose flawed interpretation now seems to be triumphant on the mainstream American right, despite its refutation and rejection by M.E. Bradford, Willmoore Kendall, Russell Kirk, and Robert Bork, to cite only the more eminent of Mr. Jaffa's critics. The main difference between Fletcher and Jaffa seems to be that the former argues that egalitarianism was the product of war and revolutionary imposition from above, while Jaffa claims it was present in the old Constitution from the beginning. Of the two, Mr. Fletcher is closer to the truth.

What Mr. Fletcher calls the "reconstituting of 'We the People'" necessitates an extended program of what the Germans (at least those who flourished in the 1930's) like to call *Gleichschaltung*—the disciplining of the opposition. In Germany, *Gleichschaltung* meant you got packed off to a concentration camp (if you were lucky), and it may, in time, come to mean that here as well. But for now it means that serious dissent from—or political-ideological challenge to—the New Order is simply demonized, and the most effective means of demonizing the opposition is to accuse its opponents of deviating from the egalitarian orthodoxy of the regime—in short, to denounce it as "racist," "white supremacist," or even "neo-Nazi."

These terms, of course, were unknown to the English language before the early 20th century, and most them, insofar as they signify anything at all, merely mean whatever those who lob them want them to mean. They are equivalent in every respect to what the Jacobins meant by "aristocrats" in the Reign of Terror (most of whose victims were drawn from the non-aristocratic Third Estate) and what the Bolsheviks meant by "counter-revolutionaries"—i.e., merely devil terms by which those to whom they are pinned are delegitimized and branded for liquidation.

The ideological goon squads of the New Order have had themselves some fine sport over the last year, pinning their labels anywhere they could stick them. The labels came in useful for the Democrats during the 1998 elections, when they tried to paste them on Republican opponents. In Missouri, one Democratic TV ad solemnly warned that voting Republican would result in more burnings of black churches, while Republican candidates in various districts were accused by their Democratic opponents of being "white supremacists." Senator Carol Moseley-Braun (D-IL), desperate to snatch victory from her failing bid for re-election, even claimed that her opponent hobnobbed with "white supremacists" because he had (allegedly) once attended a function sponsored by The Rockford Institute.

The name-calling was so much fun that the goon squads decided to keep the game going. As Bill Clinton's impeachment loomed, the *Washington Post* ran an article claiming that Representative Bob Barr (R-GA), who had almost singlehandedly pioneered the impeachment a year or so before, had spoken to a "White Supremacy Group" called the Council of Conservative Citizens (CCC). It also reported that Senate Majority Leader Trent Lott, who was expected to play a major role in the forthcoming trial of the president, was an actual member of the CCC, had spoken to it, and had endorsed its views. Both Mr. Barr and Mr. Lott quickly started to put some distance between themselves and the Council (on whose national board of directors I serve and whose meetings I regularly attend, including the one at which Mr. Barr spoke), and it soon turned out that neither politician had the faintest idea of what they had done, what they had said, or what the Council stood for. Mr. Lott, whose spokesmen at first declared that

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the senator had never been involved with the CCC at all, merely succeeded in making a fool of himself when the *Post* published a picture of him speaking under the Council's banner at a 1992 national convention. Had both men simply said, yes, they had spoken to the group; no, they did not necessarily agree with everything it stood for; but they saw nothing wrong with belonging to it or speaking to it, the controversy would have died quickly. That is exactly what Mississippi Governor Kirk Fordice said when asked why he had spoken to the Council last fall. His response, both courageous and honest, effectively killed the story, and no more was heard about it. Bill Clinton is not the only politician who has recently discovered what a tangled web we weave when first we practice to deceive.

The smears directed at the CCC were, of course, really directed at Senator Lott and Representative Barr for their involvement with the Clinton impeachment, but the story soon acquired a life of its own. By the middle of January, the *Washington Post* had run no fewer than five news articles, three opinion pieces, two letters (including one from Abe Foxman of the Anti-Defamation League of B'nai B'rith), and a major article in the Style section on the CCC and its "racist" background, leaders, and positions. An estimated 74 other newspapers carried similar stories. The *New Republic* chimed in with an article that mainly regurgitated what the *Post* had published; various hacks with one or another leftish newspaper coughed up much the same serving; and left-wing witch hunter Morris Dees and his Southern Poverty Law Center released a not-particularly accurate "report" on the Council that several newspapers swallowed whole. Clearly, the regime had discovered a new demon to exorcise.

It is not my purpose here to defend the CCC against the false charges, mistakes, distortions, misrepresentations, omissions, and slanted reporting that the *Post* and most other papers and magazines writing about the group published and perpetuated. It is entirely true that the CCC—as its chief executive officer, Gordon Baum of St. Louis, wrote in a letter to the *Post*—"speaks out for white European Americans, their civilization, faith and form of government, but we do not advocate or support the oppression or exploitation of other races or ethnic groups." Indeed, the Council does not take many official positions of any kind. Its main attraction is that the CCC has real members and real local chapters, which engage in grassroots activism on a variety of issues, and it attracts working- and middle-class people with strong roots in local communities rather than the perennial misfits, oddballs, and over-educated and under-employed eggheads who seem to populate other organizations of the American right. Precisely because the CCC is a real grassroots group with real members, some of them sometimes say and do things that the *Washington Post* doesn't approve of. That is simply the price of having a grassroots group.

The onslaught against the CCC was by no means the first occasion in which an organization on the hard right has been systematically demonized by the regime's thought police, and the attack on it was not inherently different from what the same thugs have tried to do to Pat Buchanan and several other men and groups of the right that refused to bend the knee to the idols of the New Order. Nor does the significance of the attack lie in the obvious hypocrisy and dishonesty of those who launched it. The *Post*'s Style section piece—a profile of Mr. Baum—snickered over its subject's working-class origins ("a former auto worker, a small-time lawyer churning out worker's comp cases") and neighborhood ("a working-class suburb of the faded Midwestern city of St. Louis"): so much for putting equality "front and center" in the New Order. On the same day that the Style section was sneering at the Council's positions and social status, the same newspaper's Outlook section sported a front-page article by a black writer concerned that Washington's new mayor, Anthony Williams, is not "black enough." As the article explained,

> Blackness, like any other characteristic that defines an oppressed group, is a state of spiritual idealism that serves to unite the group for the purpose of survival. . . . [T]here is not one person of color who can separate himself or herself from the rest of the people of color.

Racial consciousness and solidarity are apparently OK with the *Post* if they concern the right race.

While exposing the hypocrisy and dishonesty of the *Post* and similar organs of the New Order is not my point, it does bring me to it. The significance of the hypocrisy and dishonesty is not so much their moral meaning but that they direct our attention to the political utility of such concepts as "equality" and "anti-racism." Equality is indeed at the "front and center" of the regime; it's just that "equality" doesn't really mean what you think it means, nor does "anti-racism," nor most of the other smooth little words that go with it, like "toleration," "harmony," and "diversity." These are codewords, political formulas, the meaning of which cannot be grasped through merely formal or abstract analysis but only through a concrete analysis that places them in their political and social context.

For those who use the codewords, it is not a contradiction to idolize "equality" at the same time that they sneer at the working-class background of their adversaries, nor to denounce the "racism" of one group while promoting the "racism" of a different group. These may be contradictions in formal logic, but the real context of these words reveals an underlying consistency in their usage. They are simply terms by which the power of one people and its cultural and political institutions are "deconstructed" and delegitimized and the power of a rival people and its embryonic institutions are legitimated. What imparts consistency to their apparently contradictory and hypocritical usage is the unity of political purpose. The point is to be master—that's all.

The attack on the CCC was thus one more installment in the managed displacement of the old civilization and its institutions by an emergent one, and—as in most such displacements—the attack is led by a vanguard drawn from the wreckage of the old order. Yet it's important to note that the demonization of the Council of Conservative Citizens did not quite work. The attacks gave the CCC more publicity than it had ever enjoyed before, attracted new members to it, and gained for its website some 10,000 visits more per month than it usually receives. That may indicate that the birth of the New Order and the destruction of the old may not be quite as easy and painless as the thought police of the former want to believe. The more they attack, the more clearly the lines of battle are drawn in the cultural and political sands, and the sooner the battle is joined, the sooner we will know whose gods will be master.

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Letter From Texas

by Bill Murchison

Don't Mess With the Texas Constitution

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The constitution of the state of Texas, my friends, is not what you carry to the beach for light summer reading. Light? Not at 90,000 words and 377 amendments. As Dr. Johnson said of *Paradise Lost*, "No man ever wished it longer." Yet longer it gets, election year by election year, as the sovereign voters tack on more elaborate changes.

The constitution was written in 1875. Texas had finally struck off the shackles of Reconstruction. A fractious mood was upon the political leadership: Whatever those damyankees and carpetbaggers had done wasn't going to happen again, you could go to the bank on that. Texas acquired perhaps the most strictly controlled governmental structure in the United States, which it retains to this day.

And wouldn't you know it? That isn't good enough for various progressive reformers who want Texas to scratch up a new constitution for a new century and millennium.

The legislature—which, under present constitutional stipulations, hadn't met since May 1997—has before it an earnest proposal for a document that would achieve just this lofty end. It would clear away impediments to dynamic action, as Capt. Henry Shreve over a century ago cleared the snags inhibiting travel on the Red River. The proposed new constitution would emphasize efficiency and Getting Things Done. It would free us from dalliance and indecision. (Pssst: This dog is going nowhere. But what an opportunity it gives us to talk about the joys of constrained government and the hard work such constraint always requires.)

Texas made its last pass at constitutional revision in the mid-70's. Then, as now, the watchword was efficient government for changed circumstances. In other words, we don't live on the post-Reconstruction frontier anymore, why not start acting like it? Perhaps for this reason: Constitutions don't embody just circumstances; more to the point, they embody principles brought to bear on circumstances. When you achieve deliberately, or luck into, the right set of principles, it behooves you to grip them tightly. Texas voters, in repudiating constitutional change a quarter of a century ago, decided they liked well enough the small-government principles that allowed for freedom and civility. That's going to happen again in 1999.

What did the men of 1875 actually do? As the historian T.R. Fehrenbach elucidates, they

> made it almost impossible for government in Texas to be burdensome or onerous in the future. . . . [The convention's] first act was to reduce its own per diem allowance to five dollars. Its second was to vote down a motion to have proceedings printed, because a public stenographer cost ten dollars a day. . . .
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> This was an anti-government instrument. . . . The dominant spirit was to allow the state government no real latitude to act. The powers of the Legislature were much reduced. . . . The executive was equally, or even more, curtailed. . . . None of these changes was controversial; they were what the people wanted.

And still sense they want. Demand for big government in Texas—nowadays our second-most populous state—is nil, save in the earnest reforming circles that cry constitutional reform to life at regular intervals.

Working immediately against reform is the perception that there isn't much wrong with Texas: at least not much that governmental muscle is likely to ameliorate. The economy has made the transition nicely from oil dependency to diversity; high-tech and computer-related industries are particularly strong. (With it all, Texas remains the nation's biggest oil-producing state.) The treasury is in surplus.

What exactly is government supposed to do for us? Improve the government schools? In fact, these were demonstrably better 30 years ago, when government was even smaller and cheaper than now.

Over a century and a quarter, one would expect modifications in the arrangements those hard-bitten old frontiersmen devised. Modifications there have been—but sparing in scope and aggressiveness. The reason that the Texas constitution is 90,000 words long is that even minor changes—e.g., abolishing the public weigher's office in so-and-so county—have to be approved by the whole electorate. The framers, to say the least, didn't favor unadvised action. Constitutional amendments take up more printed space than the constitutional text. Yet, apart from boredom (nobody ever reads the thing), harm to the voters is undetectable.

The legislature, as our forefathers ordained, meets five months of every 24, except when a special session is called for one purpose or another. (The purpose must always be specified.) Under the carpetbaggers, there had been annual sessions. No one wanted this to happen again. As one contemporary Texan explained, "[T]he more the damn legislature meets, the more Goddamned bills and taxes it passes." The common wisdom of Texans, now as a century ago, seems to hold that legislators are like most houseguests—the faster they get out, the better.

Legislators are notoriously, and deliberately, underpaid. The voters have final say-so on legislative pay, which, the last time I checked, was $600 a month, plus $95 *per diem* during the five-month session. This is the same state, let it not be forgotten, that in 1875 wouldn't tolerate paying a stenographer. The obviously old-fashioned idea is that lawmakers are there to serve, not to be served. Naturally, this circumstance does not cause seats to languish for lack of occupants. The budget for office expense is generous enough, and a lengthy legislative career—there are, perhaps incongruously, no term limits—fits a man for service in the large and extensive corporate lobby. The lobbyists have been around forever. They do not exactly control the legislative flow in Austin, but the lawmaker who thinks they don't matter has several

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more thinks coming.

Texas has produced its share of dynamic and/or effective governors—Jim Hogg, Allan Shivers, John Connally, Ann Richards—but they don't get that way by the exercise of raw power. A Texas governor enjoys minimal power—not even the ability to appoint a cabinet. He may propose, suggest, recommend, wheedle, propagandize, but no one has to listen. All he can do, basically, to advance his objectives—beyond talk, of course—is sign and veto bills (he has line-item power) and fill up state commissions with his supporters. The independently elected lieutenant governor presides over the 31-member senate, shaping legislation with a vigor denied the governor. This is the sort of point that badly vexes the reformers, one of whom (a Republican) complained: "We happen to believe that Texas doesn't need a government that has one of the weakest governors in the United States." Oh, really?

Texas judges are elected, from trial court to appellate level. Now and again, this causes confusion. Half a century ago, an exceptionally upright Supreme Court justice with a hoity-toity-sounding name—W. St. John Garwood—was almost unseated by a previously unsung opponent bearing the down-home moniker of Jefferson Smith (the name of the Jimmy Stewart character in *Mr. Smith Goes to Washington*). Thirty years later, vaguely recognizing a then-familiar political name, voters seated on the same court a hugely underqualified and thitherto-unknown lawyer named Don Yarborough. (Ralph Yarborough had been the senior U.S. senator from Texas until his defeat in 1970.)

There has long existed in the state a good-government lobby that argues for appointed judges—at any rate, for appointed judges who "run against their record" at the next election—but the lobby makes no headway. Voters may not work much at electing their judges, but they appreciate the opportunity. Lately, judicial control has tipped to the Republicans, who are less likely to change the present state of affairs than to strike a gold medal to Hillary Clinton.

State government, in other words, despite population explosion and cultural and economic shifts, is not much more visible in Texas than it was when the constitution was written. Sales taxes—as much as 8.25 percent in the cities—are high, but there is no income tax. In fact, voters recently put into the constitution a Gordian prohibition of such a tax. Yes, the knot could be sliced through, but only with great difficulty and, still less likely, political courage.

Why the good-government lobby would think Texans want more visible and active government is not easy to discern. The pressure (which is slight indeed) comes from Republicans as well as Democrats. The proposed streamlining—there would be but 19,000 words in the new document—results from no more than a feeling that we could somehow do better with a new constitution. Only because the Democratic chairman of the state house appropriations committee and an influential Republican senator sponsor the proposal does it get attention. At that, it doesn't get much.

The Republican, Bill Ratliff, says of the old document, "Our current constitution was written by people in the 19th century who were terrified of centralized government." He thinks such a judgment damns rather than commends—as if, all of a sudden, Texans had opened their eyes to the blessings, previously hidden, of centralized government.

Centralization is, in fact, old hat. The centralizers are on the run. Open markets and deregulation are the modern trends, batted by backlashes, to be sure, as with Germany's new left-wing government and our own Justice Department's attempt to break up Microsoft.

The dynamic creativity of the marketplace, even so, is something government can't get its arms around. The marketplace is too fast, too quick-witted, for bureaucrats. Government rarely has the slightest idea what consumer-taxpayers want and need. The framers of 1875, who disdained and hated centralization, may have worn, unwittingly, the prophet's mantle.

The proposed new document has its points. It might, for example, serve the public interest to exempt state voters from the duty of saying yea or nay when some county wants to abolish a low-grade office. But alterations of this sort could be effected just by timely changes in the present constitution. The wisdom of the ages remains in the yellowed old document that guides Texas's destiny. A rural sage who holds an important national ecclesiastical office got it right in a letter he recently wrote me:

> Texans don't want government. We damn sure don't want efficient government. The taxpayers in the county I came from were very clear about what they wanted. They wanted low taxes, good roads, fair schools, low taxes, vicious law enforcement, and low taxes.

Dadgum if their own politicians are going to talk Texans into surrendering such signal, and un-20th-century, blessings!

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Letter From Michigan

by Michael Jordan

Me and Mecosta: Studying With Russell Kirk

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Russell Kirk played a prominent role in founding and promoting modern conservatism in America—not neoconservatism, but the more traditional variety which emphasizes culture and tradition more than political programs and economics. He is known as the author of *The Conservative Mind*, *The Roots of American Order*, *The Age of Eliot*, and other "conservative" studies and as the founding editor of *Modern Age* and the *University Bookman*. I knew him in this capacity, too. But I also knew him personally for over 15 years, having been one among the ranks of students and assistants who worked and studied under him at Piety Hill, his ancestral home in Mecosta, Michigan. It was my good fortune to study with him for two years back in the early 1980's and to continue a personal association with him until his death in 1994. With countless others, I remember Dr. Kirk for his literary achievement, but I also remember and honor him for the remarkable place he and his wife Annette created for hundreds of students, assistants, and visitors.

I first met Dr. Kirk in the late 1970's at Intercollegiate Studies Institute (ISI) summer schools held at Rosemont College, Pennsylvania, and Georgetown University. At one of these events, Dr.

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Kirk lectured on "Education in an Egalitarian Society," mentioning that there were still a few good universities for graduate study in the humanities. I remember his brief account of International College, a "university without walls" which offered an alternative to the typical American graduate-school program by reviving the old tutorial method, putting the student in direct contact with the scholar. When I wrote to Dr. Kirk for more information about this unique school, he replied that he was a tutor of International College and that he occasionally took students in literature. Thus the ground was prepared for my first visit to Piety Hill, a place to which I've returned many times over the years.

After I visited with the Kirks in August 1979 (to see if they could put up with me and I with them), we decided that I would study with Dr. Kirk for the master's degree. My studies commenced in May 1980. Dr. Kirk's gifts and abilities astonished me then and now, for I have not yet met anyone like him. His broad and deep learning, his powerful memory, and his prodigious literary productivity were amazing. He knew a little bit about everything and a great deal about many things. I believe he remembered most of what he read and heard. He could compose and type a single-spaced letter nearly as fast as I could read it, and he would regularly work four to six hours without leaving his desk and then, after a short break, work for another four to six hours. His work ethic would shame the proverbial ant, and it both shamed and astounded me. I was likewise amazed at the energetic, vivacious, and indefatigable Annette, who somehow managed to keep Dr. Kirk's busy schedule in order while she supervised four daughters, directed anywhere from two to five resident assistants, and entertained frequent—and sometimes numerous—guests. I have not met anyone with her combination of energy, management ability, and generosity. Dr. Kirk and Annette—the two of them together made the magic and charm of Piety Hill. They deserve the admiration and gratitude of the many fortunate students who lived and studied with them in Mecosta.

It is amusing for me to reflect upon the boundless and naive expectations that I had when Dr. Kirk began supervising my scholarly career. When we first discussed my program of studies, I told Dr. Kirk that I wanted to write a master's thesis on the idea of original sin in Western literature, beginning with the book of Genesis, ending with William Faulkner, and touching on all important writers and thinkers in between. Dr. Kirk gently suggested a more modest approach, one befitting a budding scholar. Why not treat the idea of original sin in connection with *one* author, not all of the Western pantheon? he asked. He mentioned Samuel Johnson, Nathaniel Hawthorne, or Richard Weaver as possible subjects whose writings were informed in various ways and degrees by the concept of original sin. Since I was most at home in the house of fiction, I chose to work with Hawthorne.

With G.K. Chesterton, Dr. Kirk believed that original sin was the one Christian doctrine empirically verifiable. After he got to know me, he claimed that I was pretty good evidence of its truth. He occasionally said that my intimate acquaintance with sin, both original and actual, suited me for a study of sin in the writings of the New England Romancer. No doubt some of my students at Hillsdale College (not to mention other people who know me) have also seen evidence of original sin in me. I assure you, it is mutual. With Dr. Kirk and Chesterton, not to mention St. Paul, I believe that Old Man Adam is evident in all of us.

Dr. Kirk, together with his neighbor and friend Dr. Warren Fleischauer, supervised the early stages of my Hawthorne study. While Dr. Kirk recommended books and discussed ideas with me, Dr. Fleischauer supervised my writing. I recall many painful but profitable conferences with Dr. Fleischauer, a Samuel Johnson scholar with something of Johnson's temperament and intolerance for foolishness and stupidity. In short, Warren Fleischauer did not suffer fools or bad writing gladly. Though I smarted under his tutelage, I learned much. He improved my writing at the relatively small expense of my ego. Dr. Kirk did not look at my writing until after Dr. Fleischauer's criticism had been incorporated in it. The day Dr. Kirk commended me for the work I had done was one of the most gratifying of my life.

After two years of literary labor, I completed my master's thesis on "Original Sin in the Short Stories and Essays of Nathaniel Hawthorne, With Ralph Waldo Emerson Serving as Hawthorne's Foil." In December 1982, I received my diploma from International College, which is now, I am sad to say, defunct.

In those two years of reading, writing, and serving as Dr. Kirk's literary assistant, I learned much about traditional conservatism from the Sage of Mecosta. I also learned about Michigan. Before I moved from western North Carolina up to Mecosta, the Great Lakes State did not rank high in my list of attractive places. The very name of the state conjured up dismal industrial scenes from the great Motor City. I thought of what I had seen in and around Detroit, in person and in the media: gargantuan factories, sprawling ghettos, race riots, polluted lakes, and an urban area containing over four million people that stretched through parts of five counties. With a land area about the size of McDowell County (where I was born and raised), Detroit was glutted with 100 times the people. Michigan, I thought, was a place where cars, Kellogg's cereal, and Amway products were made. And so it is. But there is much more to the state, as anyone who has traveled off the four-lane roads and busy streets knows. As Dr. Kirk's "chauffeur"—one of my numerous duties as his student and assistant—I came to know the less-traveled areas of central Michigan in many drives from rural Mecosta to regional airports in Grand Rapids and the Tri-Cities area (Saginaw, Midland, and Bay City). At Dr. Kirk's insistence, we never used the expressways; instead, we always took the two-lane roads which went through the back country—through farmland, forests, and small towns and villages. I was surprised to find that Michigan has a diversified agricultural economy, a fact which pleased Dr. Kirk. He called himself a "Northern Agrarian" (after the Southern Agrarians who wrote *I'll Take My Stand*), and he enjoyed the rural and economically humane features of central Michigan. On these drives through the country, Dr. Kirk patronized locally owned businesses—yet another indication of his agrarianism.

But how could one help being agrarian if one lived in and loved Piety Hill? The Kirk home overlooks Mecosta, a tiny village in the very heart or palm of Michigan. When I was there, it boasted a population of only 300 souls—something Dr. Kirk frequently noted with obvious pleasure. It has not grown since 1980. In the way of businesses and public buildings, Mecosta didn't have much to offer. But the countryside round about (and one did not have to go much more than 100 yards in any direction to

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be in the country) made up for anything that was lacking in the town: picturesque swamps, meandering creeks and rivers, hundreds of little lakes; stands of new pine with meadows wandering in and out of them; sugar maple, oak, tamarack, and white birch trees; deer, beaver, porcupine, herons, Canadian geese. It was a sportsman's paradise, a nature-lover's heaven.

Yet to me, Mecosta was a bit flat. The roads, too, were strange—all straight lines intersected at regular intervals by other straight lines, much like a checkerboard. Once, when I told Dr. Kirk that I was homesick for hills and winding roads, he said, "That can be remedied. Let's go for a drive." With me at the wheel (for he did not drive), we headed for a district called Canadian Lakes, only about 15 minutes from Mecosta. There, we traveled plenty of winding roads, curving over and around the small hills. What the good doctor ordered was just what I needed. I thought at the time how wonderful it would be if I could show Dr. Kirk some of my old stomping grounds in western North Carolina: Dobson's Knob, Mt. Mitchell, Brown Mountain, Linville Gorge, Lake James, Harper's Creek, and some of the other beautiful spots in the region. Later, I did just this when Dr. Kirk lectured at a small college in the western part of my home state.

I was pleasantly surprised by the picturesque beauty of central Michigan, and I was also surprised by what I found at Piety Hill. Who would expect to encounter such a place in the middle of a village in the middle of rural Michigan? Like the lord and lady of a small feudal kingdom, Russell and Annette Kirk presided over a large three-story Italianate house, three writers' cottages for guests and scholars (the Jewell log cabin, the Calafia House, and the Wilbur House), and a private library in a former toy factory containing over 10,000 books and a considerable periodical collection. In this isolated village, I did not expect to meet such an array of people: poets, fiction writers, publishers, editors, journalists, artists, professors, clergymen, philanthropists, students, politicians, scholars (some of these were, as Dr. Kirk would say, Refugees from Progress), and Ethiopian, Vietnamese, Polish, and Yugoslavian families (Refugees from Giant Ideology, as Dr. Kirk put it). In short, people from all over the world involved in all sorts of interesting educational, artistic, religious, and political affairs flocked to Piety Hill and were graciously received by the Kirks. It was not unusual for them to entertain as many as 20 to 30 people at one time under their several roofs and at the long table in their dining room.

I soon learned that, while one might be geographically out of the way in this small Michigan village, he could still have his finger on the pulse of the nation. Through books, newspapers, periodicals, and visitors (many from foreign lands), it was possible to measure the health and sickness of American culture and politics. I might add that Piety Hill residents kept in touch with local, state, regional, national, and international affairs without resorting to radio or TV.

My stay at Piety Hill, which Dr. Kirk occasionally called the Russell Kirk College of Mystical Knowledge, was enriched by contact with noted scholars, poets, and teachers: Louis Filler, Anthony Kerrigan, Marion Montgomery, Paul Roche, Thomas Howard, John Lukacs, Cleanth Brooks, David Bovenizer, Fr. Ian Boyd, John and Russell Hittinger, Gregory Wolfe, and Andrew Lytle were some of the people I met or renewed acquaintances with at Piety Hill. These and many others, some of them influenced and directed by Dr. Kirk, have contributed substantially to scholarship, pedagogy, and the liberal arts.

While working on my Hawthorne studies, I managed to carry on a fair amount of "extracurricular" reading: all of Dr. Kirk's fiction, many of his non-fiction works, some of the fiction of Flannery O'Connor and Joseph Conrad, and various items from the works of G.K. Chesterton, C.S. Lewis, T.S. Eliot, Basil Willey, and Paul Elmer More. I also kept my eye on about six serious periodicals. The pace of life at Piety Hill was such that one could engage in serious reading, keep up with his studies and duties, converse at leisure with the various denizens of Piety Hill, and go on occasional canoe trips, country drives, or rambles (on foot or skis, depending on the season). The Kirks knew, as the title of one of Josef Pieper's books proclaims, that leisure is the basis of culture. In subsequent years, as a doctoral candidate in English at the University of Georgia and an English professor at Hillsdale College (times when leisure was an unobtainable luxury), I have looked back with longing at those two years of study, reflection, leisure, and recreation at Piety Hill.

The summer of 1982, just before I left Mecosta to teach English at the Webb School in Bell Buckle, Tennessee, I met two "Fugitives from Progress" who changed the course of my life forever. Marion Montgomery (author of the three-volume work *The Prophetic Poet and the Spirit of the Age* and other studies) was the guest lecturer at a Piety Hill/ISI seminar. I was so taken with the depth and range of his critique of modernism that I later determined to study with him at the University of Georgia. Following graduation from Kirk's "College of Mystical Knowledge" and a year of teaching at the Webb School, I moved to Athens, Georgia. There, after six and a half years of literary labor (teaching, researching, and writing), I completed the Ph.D., producing a dissertation under Mr. Montgomery's guidance on "Donald Davidson's Agrarian 'Creed of Memory.'" Given the character and provincialism of studies in our universities today (provincialism in time, as Allen Tate has characterized the modern mind) and the vogue of faddish but morally, spiritually, and socially dangerous ideologies in academia, one could do worse than study literature with Russell Kirk and Marion Montgomery.

The other noteworthy person I met at this Piety Hill/ISI seminar was Lindy Ellingwood, then a research assistant for The Rockford Institute. Now she has been my wife for 12 years. We are not the only couple who first met at Piety Hill. As a friend of mine who knew the Kirks wrote when he heard of our engagement: "If marriages cannot be made in heaven, then Piety Hill is about as close as we can come in this sublunary world."

In innumerable ways Dr. Kirk, Annette, and the people who were drawn by them to Piety Hill have influenced my life, and not mine alone. Hundreds of people have been served and directed by Russell and Annette, and thousands have been instructed and inspired by Dr. Kirk's many literary endeavors. Piety Hill is aptly named. Reverence for order, beauty, craftsmanship, nature, worthwhile traditions, God—reverence for these things characterizes the place.

High on the wall in the Kirks' kitchen hangs a wooden plaque on which is carved a hand planting acorns and seedlings. A few of Dr. Kirk's assistants and two of the regulars in the Kirk household, Kelly Kielce and Gracia Virgo, presented this plaque to him at Christmas 1981. An inscription encircles the carv-

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ing: *SERIT ARBORES QUAE ALTERI SECULO PROSINT* ("He plants trees to benefit future generations"). Dr. Kirk was a tireless planter of trees, vines, and shrubs. The testimony of his work surrounds the Piety Hill properties, forming boundaries and lining walks, providing wind breaks and privacy, beauty and fragrance. And Russell and Annette cultivated other sorts of trees. They provided the good soil for the growth of spiritual and intellectual culture, and all of those who came to Piety Hill, students and visitors, were nurtured in the things of the mind and spirit. One trusts that the Kirks' labor of love and duty will continue to inspire those who came to them over the decades, prompting them to prune the decayed branches of our culture and to renew the vigor and health of values, ceremonies, and truths which ought to endure.

Despite Dr. Kirk's death in 1994, the work of cultural renewal continues at Piety Hill. Annette Kirk has established the Russell Kirk Center for Cultural Renewal; the Resident Fellows program continues; ISI seminars are still held there; and the *University Bookman* is still published quarterly. Although Dr. Kirk is no longer with us in the flesh, he is very much with us in spirit, and his spirit—he would say ghost—still guides and presides at Piety Hill.

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Letter From Florence

by Andrei Navrozov

Beyond Bugs

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I am actually writing this from a lonely place called Marsiliana, in the Maremma region of Tuscany, where my Florentine hosts have a hunting lodge. It is less than half an hour by car from the Argentario coastline, my inspiration for last summer's seaside letters, and I remember driving past its desolate form whenever a group of us got together to go bathing in the hot springs of Saturnia, much further inland. We always used to ask everybody on the way, from ancient, mustachioed, somnolent taxi drivers to neat, young, eager gas-station attendants, about the apparently inaccessible town on top of the hill, and were always told that it's not a town, just an old castle whose owners are never there.

Well, now it turns out that it isn't a castle either, just a hunting lodge, and—adding to the confusion—not only are the owners there, but smarmy old Navrozov is as well, busily blending in with the scenery in his borrowed Barbour and gum boots. "*Iz gryazi v knyazi*," as we say in Russian. Literally this means "Up from the dirt to mix with princes," but I like the proverb so much I think it may be worthwhile to dramatize it a bit. If I kept a diary in verse, in the style of Pushkin's *Eugene Onegin*, what follows here might be the entry under "Marsiliana":

> In the Maremma, shooting wild
> boar.
> Now, Ralph Laurens of the world
> And Ronald Lauders:
> Behold a son of Khrushchev's
> slums
> Hobnobbing with a prince's sons
> And daughters!

I am not sure this is ideal publicity for cashmere turtlenecks, but at any rate it has helped me to work some populist cynicism into the warp and woof of the story from the very beginning, so as not to have to worry later about sounding a little too breathless for my own good. As for Ronald Lauder, he is, believe it or not, a leading collector of medieval arms and armor, a kind of Frederick Stibbert of the Hamptons. Really, sometimes I just can't decide whose foibles are funnier and more pitiful, mine or other people's.

Even assuming it's mine, I must boldly proclaim that I hate the countryside in winter, and in Marsiliana I finally realized that this feeling goes far beyond the city dweller's conventional squeamishness, beyond bugs, beyond big fish eating little fish, beyond homosexual intercourse involving two apparently stray mutts committed in broad daylight and observed through a picture window during breakfast. I realized that what I dislike about the countryside most of all is the insidious facsimile of contentment it promises, that smug, saccharine parody of the myriad real satisfactions one experiences in town even when simply crossing the street without being hit by a late-night bus or sitting down in a café with the hard-earned foreknowledge of a good espresso. Urban life is order, which is conducive to ordered thought. Country life, by contrast, toughens the skin while softening the brain.

Consider the notoriously deleterious effect the country has on otherwise perfectly well-behaved city children who, just hours earlier, could be seen working on chess openings and asking charmingly naive questions about the second part of *Faust*. Yet here they are, those same children, rolling in the dirt with three-legged dogs or brandishing muddy sticks. As for the effect on adults, it is perhaps enough to remark on the self-satisfied air with which grown men light a fire in the grate, or tend a wood-burning stove of the kind there was in every bedroom in Marsiliana. They really suppose that by defrauding their families into thinking for a few hours that the rooms have central heating they have achieved something of lasting ethical value. *Deus misereatur*!

But then of course there is also my frankly hedonist side—which some people might suppose would anyway be wholly dominant in the easy life of a Russian degenerate—and the truth is that nothing alarms this aspect of my character more than the sight of a bare tree in wintertime. A leafless branch sprinkled with freezing rain is, for me, what a barbed-wire fence punctuated with watchtowers is for a person of ordinarily sturdy disposition. "Holy hell," I say to myself, "just give civilization a little push, and the whole world will be covered with trees exactly like that one." In short, dominant or not in the general run of urban existence, in the country my sybaritic side comes to the fore. Here it rears up and protests, it winds up grandfather clocks in dimly lit hallways and ransacks old cupboards for train timetables, it makes friends with excruciatingly boring couples without children who happen to own cars.

When resisted, as good manners and the peculiar responsibilities of a guest dictate it must be, this irrepressible side of me becomes truly vicious. How inventive its sarcasm! How observant its criticisms! How condescending its acknowledgment of life's simpler blessings! Thus, in Marsiliana, it quickly seized upon the C and F for "*Calda*" and "*Fredda*" engraved on the water faucets, muttering at bath time that they stood for "Cold"

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and "Freezing." Later that evening, in the library, just as the Western, resilient rest of me was beginning to thaw out in front of the fire with a dry *grappa*, a perfectly passable Tuscan cigar, and a volume of Winston Churchill's war-time memoirs, my Eastern, decadent side resumed its suit. With perfect timing, it drew my attention to the description of Sir Winston's stay at State Villa No. 7, near Moscow, in August 1942:

> The hot and cold water gushed. I longed for a hot bath after the journey. . . . All was instantly prepared. I noticed that the basins were not fed by separate hot and cold water taps and that they had no plugs. Hot and cold turned on at once through a single spout, mingled to exactly the temperature one desired. Moreover, one did not wash one's hands in the basins, but under the flowing current of the taps.

"In a modest way," adds the English country bumpkin with becoming humility, "I have adopted this system at home. If there is no scarcity of water it is far the best." And who might you be, exclaimed my troublesome side driving the point home, to disagree with him? Come on, be fair! Should his wide-eyed fascination with Stalin's state-of-the-art faucets be considered somehow objectionable just because they are Stalin's?

Anyway, in the days when Churchill took the bath, at State Villa No. 7 but also in Teheran and in Yalta, the hunting estate of Marsiliana had 9,000 hectares. After the war ended the Communist local authorities expropriated all the arable land and much of the forest, leaving my Florentine hosts with 2,700 hectares of hillside underbrush. Back then, hunting wild boar was only a pastime, while real wealth was believed to lie in good fat Maremman land, suitable for agricultural use. Since then, the value of such land has plummeted—it is now only worth as much as the European Community will pay farmers for not growing anything edible on it—while the useless underbrush, where the wild boar thrives, has become precious. Rich businessmen from all over the world want to hunt there, for the same funny reason they want to wear Ralph Lauren tweeds and collect medieval armor.

A few days after I arrived in Marsiliana, my hosts were informed by the local authorities, who no longer call themselves Communist, that all hunting permits of the estate are revoked until a substantial tract of the underbrush is legally ceded to them in perpetuity. There was much shouting during lunch, and everyone had the kind of face that people have when something obviously bad yet deeply inexplicable happens to them.

So I took off my borrowed Barbour and gum boots, and thought again that living in the country in wintertime, without mixer taps and all the other creature comforts of city life, softens the brain. Look at Winston Churchill.

Andrei Navrozov is Chronicles' *European correspondent.*

Hunters and Prey

by Timothy Murphy

And there came a voice to him,
"Rise, Peter; kill, and eat."
—Acts X, 13

I. Brother Fox

A windless cloudless night
refroze the puddled ice
where geese chose to alight.
Waking at dawn they found
their feet webbed to the pond.
Drawn by their doleful cries
a fox strolled from the wood
with mayhem in his eyes.

II. Whitetails

Hoofed rats that they are,
they live in cervine fear
of carnivores who dine
on tenderloin of deer
or crown rack of fawn
downed with a young red wine.

III. Little Heart Butte

Grouse peck at its breast
and pheasants at its foot.
Buffalo berries west
and Russian olives east
girdle this shortgrass butte,
this table set for a feast.
I, the unbidden guest,
have little heart to shoot.

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LAW

The Necrosis of Limited Government

by Douglass H. Bartley

The words "general welfare" have had the greatest significance in modern American life of any in the Constitution. Originally regarded by its 18th-century Federalist creators as a *restraint* on federal power, the brake of general welfare has been transformed, retooled by the U.S. Supreme Court into a huge turbine, a supercharger that drives today's immense federal power grid.

In modern times, "general welfare" has become the constitutional touchstone for vast portions of the federal taxing, spending, and regulatory apparatus. "General welfare" is the linchpin of federal expansionism, the last straw almost invariably grasped by those whose federal social schemes cannot find constitutional warrant in any enumerated power.

That use of the General Welfare Clause is a development that would have jolted James Madison, the Father of the Constitution, and his close friend Thomas Jefferson—had they envisioned the judicial torture that modern jurists have inflicted on the clause.

Indeed, the abuse of the clause would have startled even the fervent arch-centralist and expansionist Alexander Hamilton. Selling the proposed Constitution to the ratifying states, Hamilton assured readers of *Federalist* 83 that the new Constitution would grant *no* "general legislative authority." Hamilton's representation alone disembowels the arguments of the federal expansionists.

How did we get from a federal government having *only* delegated powers to a government vested with "general legislative authority" to do everything not specifically denied in the Constitution? In large part, the transformation came through the Supreme Court's contortion of the words "general welfare." Article I, section 8, gives Congress power "to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ."

Before ratification, the clause was the subject of controversy over the meaning of "provide for the common Defence and general Welfare." Opponents of ratification argued (and modern revisionists still argue) that "general welfare" gave Congress an unlimited power to tax and to spend for any purpose that could somehow be related to promoting the national welfare or the public good.

More specifically, the argument was that the words would create a general public purpose power, complete of itself, independent, separate, and distinct from the 17 other enumerated powers in the following clauses. The general power would be limited in scope only by the provision that federal taxing and spending must be for the *common* defense and *general* welfare, rather than insular or provincial defense or welfare.

That view originated with Alexander Hamilton in a statement in 1791, just three years after his assurances to the contrary in the *Federalist*. Reversing himself, Hamilton said that the General Welfare Clause

> is as comprehensive as any that could have been used, because it was not fit that the constitutional authority of the Union to appropriate its revenues should have been restricted within narrower limits than the general welfare.

The contrary view, advanced by James Madison, was that "general welfare" conveyed no independent federal power, but was "a sort of caption or general description," as Madison put it, of the 17 enumerated powers listed in the following clauses. The so-called "Hamiltonian view" ultimately received the imprimatur of the U.S. Supreme Court in 1936 in *United States* v. *Butler*, a truly seminal and tragic case in our constitutional history. *Butler* was the Actium for limited federal power and the Waterloo for the notion of a binding Constitution.

In *Butler*, the immediate issue was the constitutionality of Franklin Roosevelt's Agricultural Adjustment Act of 1933, which imposed a federal tax on processors of agricultural commodities. The proceeds were then distributed to farmers who agreed to limit their production of particular commodities. The government, urging the court to adopt the "Hamiltonian view" of unlimited federal power, argued that the tax was constitutionally justified as an exercise of its power to legislate for the general welfare—i.e., to help end the depression in agriculture by raising farm prices.

Though the Supreme Court ruled against the government on separate grounds, it nonetheless fully embraced the Hamiltonian notions that: Congress had power to tax for whatever purposes could qualify as advancing the general welfare; the General Welfare Clause was an independent source of public-purpose spending power for Congress; and "public purposes" were unlimited in scope. "[T]he power of Congress to authorize expenditures of public moneys for public purposes is not limited by the direct grants of legislative power found in the Constitution," declared the Court.

Butler crossed the constitutional Rubicon, cutting the taxing power loose from the restraint of the other enumerated federal powers. Until then, everyone had thought that the taxing power could be used only for funding measures that were exercises of the specific, enumerated powers. *Butler* changed the constitutional landscape by holding that Congress could tax for any unenumerated purpose that qualified as a public purpose. That opened the door for a Brobdingnagian taxing binge and ultimately the floodgates for the deluge of federal spending that inundates us today.

The only hope that *Butler* left alive was in one wheezing passage that intimated "general welfare" might be subject to some limitations. But a year later, that faint hope was dashed in *Helvering* v. *Davis*, which upheld the establishment of Social Security as a proper use of the general welfare power. In *Helvering*, Justice Cardozo proved that judicial giants can have bad—even tragically bad—days, as he announced the Court's almost total surrender to Congress on the subject of constitutional limits to the government's taxing power:

> The line must still be drawn between one welfare and another, between particular and general. Where this shall be placed cannot be known through a formula in advance of the event. There is a middle ground or certainly a penum-

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bra in which discretion is at large. The discretion, however, is not confided to the courts. The discretion belongs to Congress, unless the choice is clearly wrong, a display of arbitrary power, not an exercise of judgment.

The constitutional text shows both *Butler* and *Helvering* to be wrong. First, the clause grants no *spending* power. The power is a *taxing* power: "to lay and collect Taxes . . . to . . . provide for the common Defence and general Welfare of the United States." The clause does not say Congress shall have the power "to . . . provide for the common Defence and general Welfare"; that language is textually coupled with "to lay and collect Taxes." The various spending powers are enumerated in the clauses that follow the taxing power.

Second, "general welfare" must be read in relation to the other powers that follow—powers which outline the ends or purposes for which the taxing power may be invoked. That was precisely the point of an extended argument that Madison made in *Federalist* 41:

> It has been urged and echoed that the power "to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States," amounts to an unlimited commission to exercise every power which may be alleged to be necessary for the common defense or general welfare. No stronger proof could be given of the distress under which these writers labour for objections, than their stooping to such a misconstruction.
>
> Had no other enumeration or definition of the powers of the Congress been found in the Constitution than the general expressions just cited, the authors of the objection might have had some colour for it; though it would have been difficult to find a reason for so awkward a form of describing an authority to legislate in all possible cases. . . .
>
> But what colour can the objection have when a specification of the objects alluded to by these general terms immediately follows, and is not even separated by a longer pause than a semicolon? If the different parts of the same instrument ought to be so expounded, as to give meaning to every part which will bear it, shall one part of the same sentence be excluded altogether from a share in the meaning; and shall the more doubtful and indefinite terms be retained in their full extent, and the clear and precise expressions be denied any signification whatsoever? *For what purpose could the enumeration of particular powers be inserted, if these and all others were meant to be included in the preceding general power? Nothing is more natural nor common than first to use a general phrase, and then to explain and qualify it by a recital of particulars.* But the idea of an enumeration of particulars which neither explain nor qualify the general meaning, and can have no other effect than to confound and mislead, is an absurdity . . . [Emphasis added.]

To further assuage fears of a new federal leviathan, Madison pointed out that "general welfare" in the new Constitution was the same terminology used in the Articles of Confederation:

> The objection here is the more extraordinary, as it appears that the language used by the convention is a copy from the Articles of Confederation. The objects of the Union among the states, as described in article third, are, "their common defense, security of their liberties, and mutual and general welfare." The terms of article eighth are still more identical: "All charges of war and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress, shall be defrayed out of a common treasury," etc. A similar language again occurs in article ninth. Construe either of these articles by the rules which would justify the construction put on the new Constitution, and they vest in the existing Congress a power to legislate in all cases whatsoever. But what would have been thought of that assembly, if, attaching themselves to these general expressions, and disregarding the specifications which ascertain and limit their import, they had exercised an unlimited power of providing for the common defense and the general welfare? I appeal to the objectors themselves, whether they would in that case have employed the same reasoning in justification of Congress as they now make use of against the convention. How difficult it is for error to escape its own condemnation!

Before 1791, Hamilton agreed fully with Madison that providing for the general welfare was not a separate power. In *Federalist* 83, he said:

> The plan of the convention declares that the power of Congress, or, in other words, of the *national legislature*, shall extend to certain enumerated cases. This specification of particulars evidently excludes all pretension to a general legislative authority, because an affirmative grant of special powers would be absurd, as well as useless, if a general authority was intended.

Hamilton's statement and Madison's extended argument are examples of the ancient legal maxim, "*Expressio unius est exclusio alterius*," meaning, as Hamilton put it in *Federalist* 83, "A specification of particulars is an exclusion of generals." In the Constitution, the expression of the specific enumerated powers is the exclusion of all unenumerated powers.

In other words, it is impossible to argue rightly that "common defense and general welfare" enhances the federal legislative jurisdiction with an additional power to tax or spend in the "common defense and general welfare." If it did, why did the Framers go to the trouble of enumerating 17 other powers (and still others elsewhere), all of which would have been subsumed by the one clause standing alone?

Why would it have been necessary, for example, for the Framers to equip Congress with a separate and specific power "[t]o raise and support Armies," when that power is easily embraced in the general language, "to . . . provide for the common Defence and general Welfare"? Why would it have been necessary to give Congress the separate and specific power "to establish Post Offices and post Roads," when that specific power satisfies anyone's test of serving the "general welfare"? And why would it be necessary to give Congress jurisdiction to

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specify punishment for counterfeiting and piracy? Can anyone seriously maintain that punishment of those crimes does not benefit the general welfare?

Madison was clearly right in representing the "common defense and general welfare" clause as being *descriptive*, not expansive, of the powers of Congress. Madison's 1792 summation said just that: The clause is "a sort of caption, or general description of the specified powers . . . having no further meaning, and giving no further powers, than what is found in that specification."

Madison and the *Federalist* Hamilton enjoyed the support of Jefferson, who said:

> [To construe the clause as providing a] distinct and independent power to do any act [Congress] might please for the good of the Union . . . would render all the preceding and subsequent enumerations of power completely useless. It would reduce the whole instrument to a single phrase, that of instituting a Congress with power to do whatever would be for the good of the United States. . . . Certainly no such universal power was intended to be given them. [The clause] was intended to lace [Congress] up strictly within the enumerated powers, and . . . without which, as means, those powers could not be carried into effect.

Justice Joseph Story, himself an ardent centralist like Hamilton, agreed that the General Welfare Clause was not a grant of any additional power, stating that if the clause is

> construed to be an independent and substantive grant of power, it not only renders unimportant and unnecessary the subsequent enumeration of specific powers, but it plainly extends far beyond them and creates a general authority in Congress to pass all laws which they may deem for the common defence or general welfare.

In the face of all the authoritative statements concerning the limited purpose of "general welfare," how, one might ask, could the Court in *Butler* have possibly adopted the principle of unlimited power? How could the Court adopt a position that was the antithesis of Madison's, Jefferson's, and Story's pronouncements? How could the Court portray the view it adopted as the "Hamiltonian view" when Hamilton himself, writing as a representative of the Framers in the *Federalist*, took the opposite view?

We will probably never know. Conspiratorial explanations are possible, such as that suggested by one amusing historical curiosity of *Butler*: Alger Hiss helped brief the case for FDR. That oddity might lead the more wary among us to ask, "Did Moscow have a hand in the death of the rule of law in the United States?" (I'll leave the answer to that fascinating question to others.) A more likely explanation is that the Court never realized Hamilton, in the *Federalist*, flatly ruled out the Court's interpretation in *Butler*—in other words, either Butler's lawyers did a bad job or the Court wasn't paying attention.

Whatever the explanation, there's no doubt that the Court turned the Constitution inside out and used abominable reasoning in the process. It is wrong to condemn Madison's, Hamilton's, Jefferson's, and Story's conclusion, as the Court did in *Butler*, on the ground that it transforms the clause into a "mere tautology." To be sure, it is intellectually possible to maintain that the Madisonian view renders "common defense and general welfare" tautological in the sense that "taxation and appropriation are or may be necessary incidents of the exercise of any of the enumerated legislative powers," as the Court put it in *Butler*.

But to take the *Butler* view that "general welfare" is a source of general legislative power is to commit a far more egregious tautological sin—a mortal sin that consigns the remaining 17 clauses of enumerated powers into a tautological hell, in contrast to which Madison's "sin" of tautology is the most venial of the venial.

In truth, Madison did not sin at all, for a common sense reading of the clause would recognize "common defense and general welfare" as words of limitation on the legislative power to tax. Read that way, the clause makes complete sense—as Jefferson said, it was "intended to lace [Congress] up strictly within the enumerated powers" and to give Congress the taxing means of carrying those powers into effect.

Not at all tautological, the clause had a dual purpose: It was designed not only to give Congress the financial means to carry out the enumerated powers, but to ensure that Congress would tax only for the *common* defense and *general* welfare—that is, not for particular or parochial welfare. General welfare, indeed, is a limitation on the exercise of the enumerated powers—meaning, for example, that the government shall not provide "national" defense only for Arkansas nor build post offices only in Tennessee. General welfare, in short, was intended to rein in government power and to ensure that it was exercised in a nondiscriminatory way.

Far from being the bulwark of federal power in our constitutional system, the general welfare "power" is but a pillar of salt. And with it collapses the constitutional basis for much of the federal social engineering we have suffered in the aftermath of *Butler* and other cases like it.

Like the Commerce Clause so similarly bastardized, the general welfare shield has become a sword for ambitious politicians, *carte blanche* for transforming our government from one which had only the powers given it into one having all powers except those expressly denied—the antithesis of the very idea of the Constitution.

To those who would argue that *Butler* and other cases are too embedded in our constitutional law to be reversed, one need only recall the words of Justice Holmes on the subject of illegitimate court decisions: "[These decisions are] an unconstitutional assumption of power by the courts of the United States which no lapse of time or respectible [sic] array of opinion should make us hesitate to correct."

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POLITICS

Goodbye, Dixie

by Robert Stacy McCain

For a brief moment in Hartford, Connecticut, on October 6, 1996, the fondest dreams of Southern conservatives seemed to have come true. Re-

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publican presidential candidate Bob Dole was debating President Clinton.

Perhaps "debating" is the wrong word. In the awkward and disjointed style of discourse that now seems typical of GOP presidential candidates, Dole was spouting the talking points his handlers had given him: "I think the basic difference is . . . I trust the people. The president trusts the government."

Woodenly, Dole cited the details of the infamous "Hillarycare" plan:

> We go back and look at the health care plan that he wanted to impose on the American people: one-seventh the total economy; 17 new taxes; price controls; 35 to 50 new bureaucracies that cost $1.5 trillion. Don't forget that. That happened in 1993.

True enough, but not exactly an important issue three years later and not an inspirational vision, either.

But then, after some more of this wonkish blather, Dole uttered the line that seemed the culmination of decades of effort by Southern conservatives: "I carry a little card around in my pocket called the Tenth Amendment. Where possible, I want to give power back to the states and back to the people."

Imagine that: a Kansas Republican, speaking before a Connecticut crowd, citing the Tenth Amendment and arguing that the federal government should "give power back to the states"! When the standard-bearer of the party of Lincoln declares his faith in states' rights, it would seem that a revolution has occurred.

Alas, the senator from Archer Daniels Midland didn't mean a word of it, and the idea that this big-government fossil from the Nixon era was the man to lead a grassroots populist insurgency against the Beltway establishment was so absurd that not even his aides and party henchmen believed it.

Still, for all his humbug, the fact that Dole felt he could score rhetorical points by declaring fealty to the Tenth Amendment was testimony to the status of the South as the electoral base of the Republican Party. More than 25 years after Pat Buchanan and other top GOP strategists masterminded the "Southern strategy" to wean white voters in Dixie away from their traditional allegiance to the Democrats, a great shift has been accomplished: White Southerners are overwhelmingly Republican in their political loyalties. The evidence is everywhere. In 1990, Georgia's congressional delegation consisted of eight white Democrats, one black Democrat, and one white Republican. By 1996, after redistricting and the addition of an extra House seat, the Georgia delegation comprised eight white Republicans and three black Democrats. Last year, a poll in Alabama found that 80 percent of white males under age 40 considered themselves Republicans.

But, despite having won the steadfast allegiance of the majority of voters in the nation's fastest-growing region, Republicans have still managed to lose two consecutive presidential elections—not to mention engaging the ire of the chattering classes, most of whom have an instinctive loathing for Southerners that they scarcely bother to conceal. In fact, to the university professors, think-tank wonks, and shout-show pundits who constitute the neoconservative commentariat, any party or candidate who could win the votes of 80 percent of young white men in Alabama is considered a threat to civilization.

So, having carefully wooed the white South since the 1960's, the GOP establishment has found a perfect role for its new allies: scapegoats. Whenever Republicans are disappointed at the polls, as they were in 1992, 1996, and 1998, the GOP's failed strategists now place the blame on those evil Southerners.

This "blame Dixie first" tactic was most clearly defined by Christopher Caldwell in the June 1998 issue of the *Atlantic Monthly*, which featured cover art of an elephant wearing an NRA cap and a ball-and-chain and carried the caption: "Hostage to Dixie's culture and NRA dogma, the Republicans are a party in deep trouble." Inside, in an article entitled "The Southern Captivity of the GOP," the *Atlantic*'s readers were treated to a 12-page slur against the South, complete with a cartoon of an elephant wearing a plaid shirt and an NRA cap, drinking a beer, and driving a pickup truck with a gun rack in the rear window and two slobbering hounddogs in the back. This, according to Mr. Caldwell, is what the Republican Party gained by its "Southern strategy": the support of drunken, gun-toting rednecks.

Caldwell's article epitomizes the left's anti-Southern prejudice:

> As southern control over the Republican agenda grows, the party alienates even conservative voters in other regions. The prevalence of right-to-work laws in southern states may be depriving Republicans of the socially conservative midwestern trade unionists they managed to split in the Reagan years. . . .
>
> The most profound clash between the South and everyone else, of course, is a cultural one. It arises from the southern tradition of putting values—particularly Christian values—at the center of politics. . . . Republicans have narrowly defined "values" as the folkways of one regional subculture, and have urged their imposition on the rest of the country. . . .
>
> Southerners now wag the Republican dog. How did the party let that happen?

This is the sort of "Bible-thumping zealots trying to impose their values on the rest of us" argument that one might expect to hear at an ACLU convention. What's interesting, though, is that Caldwell imagines himself to be a conservative. A senior editor at the *Weekly Standard* and a native of Massachusetts, Caldwell never really explains why he views the South as such a political liability. He seems very concerned about "gay rights," an issue on which he says "the country has moved leftward," citing polls that show Americans "overwhelmingly . . . favor equal rights for gays . . . but think gays are pushing their agenda too fast." Caldwell apparently wishes the Republicans to become stewards of the gay-rights agenda, to make sure it progresses at a speed that will not alarm the voters.

While Caldwell makes a lot of noise about the NRA, the fact is that the "right of the people to keep and bear arms" has as high a level of support in the Great Plains, the Rocky Mountains, and the Pacific Northwest as it does in Dixie. Only in the Northeast and some other highly urbanized areas is gun control a popular issue.

Likewise, Caldwell implies that the GOP's anti-abortion constituency is predominantly found below the Mason-Dixon line:

> If anything, southern Christians were the low men on the Reaganite totem pole, coddled far less than tax activists in the prosperous

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coastal cities. That Reagan paid only lip service to pro-life activists during their annual Washington marches still rankles the party's southern wing.

Caldwell is so eager to blame the South that he ignores even the most obvious facts. First, the Reagan years saw a continued increase in economic prosperity in the South, a trend that went back at least to the 1950's, while those "prosperous coastal cities" (such as Ed Koch's New York) continued a decline that dated back to the urban riots of the 1960's. Second, it was Catholics in the Northeast and Midwest who were the original hard core of the pro-life movement. Republican Senator Rick Santorum—arguably the most ardent pro-lifer in the U.S. Senate—represents Pennsylvania, not Mississippi or Tennessee.

Caldwell's real animus is revealed when he says that one of the "many symptoms" of the Republican "crisis of confidence" is to be found in the party's "repudiation in the most sophisticated parts of the country." If Caldwell is suggesting that Reagan ever enjoyed support among "the most sophisticated"—Harvard professors? Hollywood producers? Manhattan socialites?—he is simply deluded. He repeats this error when he refers to "the Republicans' cosmopolitan wing." Caldwell never says who constitutes this "cosmopolitan wing" of the GOP (Henry Kissinger? Arianna Huffington?) or exactly how many votes they can bring to the polling booths on Election Day, but the existence of such a wing and its usefulness in advancing a conservative agenda is something which Caldwell must prove, not merely assert.

Evidently Caldwell, like a great many other Republicans inside the Beltway, deeply desires the approval of those who are "sophisticated" and "cosmopolitan"—that is, the kind of people who consider the *New York Times* to be an objective arbiter of truth. This desire is responsible for such anomalies as Arizona Senator John McCain's recent enthusiasm for tobacco taxes and "campaign finance reform." Anyone who has experienced the ferocity of liberal hatred can understand this impulse. Wouldn't it be nice just to cede all the most controversial issues to the liberals, nod one's head in agreement, and be celebrated for one's "moderation" and "bipartisanship"? The glib abandonment of principle, however, is not something a stiff-necked Southerner can embrace.

The origins of Caldwell's suggestion that the GOP abandon its Southern strategy, so far as it is revealed in his *Atlantic Monthly* article, can be summed up in two words: Arthur Finkelstein. It was Finkelstein who first mastered the technique for deploying the attack ads which have filled the airwaves every other year over the past decade or so. Finkelstein's hallmark was his effective use of the word "liberal" as an epithet: He buried Mario Cuomo by labeling him "too liberal for too long." But the old magic—made possible by the depth of Republican campaign coffers—has begun to lose its effectiveness of late. New York Senator Al D'Amato lost badly in 1998, despite millions of dollars' worth of Finkelstein ads labeling Representative Charles Schumer as a "liberal Brooklyn congressman." Other Finkelstein clients, including North Carolina Senator Lauch Faircloth, were losers, too. It seems that voters may have begun to tune out Finkelstein's repetitive liberal-bashing. It seems, also, that Democrats have learned how to use Finkelstein's tactics against him: Schumer's campaign ads declared that D'Amato had told "Too many lies for too long."

But Finkelstein—a recluse who lives in Massachusetts with his male lover and two adopted children—apparently has convinced Caldwell (and many others) that the GOP's woes are geographic and demographic. Caldwell cites "the Finkelstein box," which includes the South, the Southwest, the Great Plains, and the interior Northwest, as a sort of political dividing line:

> In states that have their largest population centers outside the box, no Republican got a majority in the [1996] election. Inside the box, no Democrat got a majority except Mary Landrieu, of Louisiana (and that barely). Although most Republican governors outside the box are pro-choice, almost every single Republican governor inside the box is pro-life.
>
> The Republican Party is increasingly a party of the South and the mountains. The southernness of its congressional leaders . . . only heightens the identification. There is a big problem with having a southern, as opposed to a midwestern or a California, base. Southern interests diverge from those of the rest of the country, and the southern presence in the Republican Party has passed a "tipping point," at which it began to alienate voters from other regions.

There is at least one word for such an "analysis": bunk. Since "Reagan Democrats" in the South and Midwest transformed the national political landscape in the 1980's, the South's interests have converged with, not diverged from, the rest of the nation's. The surprise winners in 1998 were Democratic gubernatorial candidates in South Carolina and Alabama who supported state lotteries—which were considered political poison in the Bible Belt just ten years ago. But Southern voters now support lotteries because they provide funding for education without requiring new taxes. If the vote for lotteries is viewed as an anti-tax vote, it may represent the kind of grassroots tax rebellion first typified by Proposition 13 in California 20 years ago.

Truth be told, Caldwell and Finkelstein merely use the South as an excuse for the failures of the Republican Party since 1994. These failures were caused by a variety of factors, including the numerous blunders of Pennsylvania-born Newt Gingrich and the sinister brilliance of President Clinton and his advisors (including the Louisiana-born James Carville). In the fall of 1995, when it looked like the GOP was heading toward sure victory in the 1996 elections, I was working at a newspaper in Rome, Georgia. Our city editor was a cynical character. When I remarked that the Republicans were almost certain to win, whomever they nominated for president in 1996, the city editor scoffed: "Who have the Republicans got? Who? Phil Gramm? Bob Dole? Who? Nobody. You can't beat somebody with nobody, and the Republicans have got nobody."

He was right, of course, even though he ended up voting for Dole. But the important insight is that elections are won by candidates, not trends. After 12 years of Reagan and Bush, GOP strategists in 1992 counted on a trend and were beaten by a candidate, Bill Clinton. In the wake of the "conservative revolution" of 1994, GOP strategists in 1996 again counted on a trend and were beaten by the same candidate. Trendmongers like Finkelstein and Caldwell ignore such lessons at their peril.

To the extent that Finkelstein and

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Caldwell have any influence in the Republican Party, however, this idea of the "Southern captivity" of the GOP is now conventional wisdom, and it portends an abandonment of the venerable "Southern strategy." One thing is certain: It is unlikely that the Republican presidential candidate in 2000 will be waving around the Tenth Amendment during debates. If the recent record of the GOP establishment is any indication, the result will be another defeat, perhaps disastrous enough to sweep Democrats into control of both houses of Congress, at which point the political musings of Finkelstein and Caldwell will be moot.

With Al Gore as president and a Congress controlled by House Speaker Dick Gephardt and Senate Majority Leader Tom Daschle, Finkelstein and Caldwell will get their wish: The influence of the South in such a government will certainly be minimal. For the rest of the us, however, the prospect of a federal government unshackled by any conservative counterweight will probably not be quite so welcome.

Robert Stacy McCain is an assistant national editor for the Washington Times.

RELIGION

Clinton and the Clergy

by Mark Tooley

"We ought to string up Clinton and Monica by their feet, just like the Italians did to Mussolini and his mistress at the end of World War II."

This comment came from a caller to Wisconsin Public Radio, on which I was a guest last fall. When I was invited to speak, I had assumed most callers would be pro-Clinton. After all, it was *public radio*, in a liberal Midwestern state. Instead, a host of angry callers vituperated against the President and his transgressions. I was a little taken aback, especially by the Mussolini comparison. Understandably, the program host cut this caller short.

Most callers were considerably less vengeful but still adamant. Apologies from the President are not enough. The program host pleaded that forgiveness was surely in order. No, insisted the indignant majority. They weren't ready to forgive so easily.

At one point, the host flippantly referred to himself as "reverend" and to his station as "Wisconsin Christian radio." He probably was not used to an hour-long discussion on the theological implications of sin and repentance.

In sharp contrast to these exacting radio listeners in Wisconsin, many—if not most—mainline religious leaders who have spoken publicly about Clinton's plight have urged quick and easy forgiveness. The President, after all, has said he was sorry.

The Interfaith Alliance, a coalition of mainline (i.e., left-leaning) religious leaders, made this plea at a September press conference. "No other President has had such a positive impact on the moral character of our society," announced Rabbi Jack Moline, former president of the Washington Board of Rabbis. "I believe he has the moral authority to lead," agreed Dean Nathan Baxter of the Episcopal Church's Washington National Cathedral. "A majority of people still believe in the progressive direction he is leading the country." Baxter stressed his disgust at Clinton's behavior. But, he said, "I think it's appropriate for the President to apologize. Then we move on."

Joan Brown Campbell, general secretary of the National Council of Churches, has followed the White House line at every step of the scandal: first skeptical of the charges, then minimizing their moral weight and urging a rapid redirection of attention to other issues. She shares Moline and Baxter's trust in the President's continued capacity for leadership but said her granddaughter had recently awakened her to the scandal's importance. After she was told about the President's problems (in a sanitized explanation), the little girl exclaimed, "Then there should be a 'time-out' for him!" Maybe Clinton should have a "time-out" in the form of a censure from Congress, Campbell suggested. "We may have to say deeds have consequences." Yet even with this conclusion, the NCC head is still in step with the White House, which has long hinted that a light censure would be acceptable.

James Dunn of the Baptist Joint Committee, a liberal church lobby not affiliated with the Southern Baptist Convention, said Clinton's moral authority was diminished but not destroyed. He reserved much of his fire for Clinton's critics: "There were two immoral players here. And the other one was not Monica. It was Ken Starr."

Dunn blamed Starr's "legalism" and "dogmatism" on the special prosecutor's conservative religious upbringing in the Church of Christ. "They believe they're the only ones going to heaven," Dunn scoffed. (Starr now attends a nondenominational congregation.)

Praising the clergymen whom the White House has announced will be the President's ongoing spiritual counselors, Dunn said evangelist Tony Campolo and Methodist pastor Philip Wogaman are as "tough-minded as anybody. They won't be snookered."

But Wogaman was indeed snookered when, for seven months last year, he defended his most prominent parishioner in a host of media interviews. Clinton was not guilty of the charges against him, Wogaman assured reporters, even as he condemned the "personal interest and bias" of Ken Starr, whose investigative tactics were a "moral outrage."

In any case, it's questionable how offended Wogaman could be by the President's sexual misconduct. A prominent advocate for liberalizing teachings on sexuality within his own denomination, Wogaman has told the *New York Times* that sexual fidelity is merely a "cultural expression" that can become idolatrous.

Wogaman, the president of the Interfaith Alliance, has been joined as confessor to the President by Campolo and Massachusetts pastor Gordon MacDonald. Campolo is liberal politically but mostly traditional in his theology; so is MacDonald, who lost his ministerial position 12 years ago in the wake of his own adulterous affair. After several years outside the ministry, he now has a full-time pastorate.

The clerical trio conversed and joined in a group hug on the White House lawn after the President's breakfast for religious leaders on September 11. It will be interesting to hear how the three, who represent very different theological perspectives, will jointly counsel Mr. Clinton.

"I regret it was announced publicly," said Unitarian Universalist president Denise Davidoff about the President's spiritual team. "It felt manipulative. There was a press release for what should have been an exclusively private affair."

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But Joan Campbell of the NCC defended the publicity. "We shouldn't second-guess [the President]," she said. "He needs help. He knows that."

One hopes that Clinton's religious counselors will provide that help. But allowing their support for Clinton's political policies to cloud their view of his character will not aid him. Perhaps Clinton's spiritual triumvirate should listen to Wisconsin Public Radio for an occasional dose of moral indignation.

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GUNS

Disarming the Victims

by David B. Kopel

More guns, more murder? This central tenet of the anti-gun movement has found strong new support from the movement's intellectual superstar, University of California law professor Franklin Zimring. In *Crime is not the Problem: Lethal Violence in America*, Zimring and long-time collaborator Gordon Hawkins make the most persuasive case ever for guns as *the* fundamental cause of America's high murder rate. At a 1998 symposium sponsored by the University of Colorado *Law Review*, Zimring very effectively took on all challengers to his thesis.

So, is it time to follow Zimring's plan to outlaw handgun purchases by anyone who cannot prove a special need, and to constrict sharply the boundaries for use of lethal force in self-defense? Before answering, let's examine the evidence presented by Zimring and his critics.

Zimring develops his thesis from comparative international statistics. Using data from all over the developed world, Zimring aims to refute the argument that America's high murder rate is merely one facet of an overall high crime rate. Acknowledging the limitations of international statistics (for example, what one nation classifies as a serious assault might not be so classified by another nation), Zimring shows that America does have relatively high rates of robbery and assault. But these rates only place America towards the high end of the range of developed countries, not off the charts. For murder, however, America's rates are far out of line—putting the United States in a class by itself.

From this evidence, Zimring concludes that the main difference between America and other nations is not the density of criminals, but the density of handguns. Americans don't get into brawls at a higher rate than their counterparts in other developed nations (at least those nations with relatively high crime rates). But brawls that in other nations might end in injury are much more likely to end in a fatality in the United States because one or both combatants has a handgun. American robberies are also much more likely to end in the death of the victim, in large part because American robbers are more likely to have a gun.

Furthermore, the widespread presence of handguns spurs more and more people to acquire their own guns as a defensive measure, thereby creating a vicious circle which increases the odds of death rather than injury.

Zimring's and Hawkins' answers to these problems are sketched out in the concluding chapters of *Crime is not the Problem*. They suggest that more criminal justice resources be devoted to murder and preventing murder, and that resources be transferred from the punishment of lesser crimes. (Zimring is particularly critical of California's "three strikes" law, which imposes long sentences on relatively low-level offenders.)

As for guns, Zimring proposes that the federal government adopt a handgun licensing system, and that almost all citizens be deemed unqualified to possess handguns. Zimring also suggests changing legal standards regarding the use of deadly force to resist a felony. Most American jurisdictions allow the use of deadly force against home burglars; Zimring would repeal these laws and require homeowners to flee their homes rather than shoot the burglar.

Crime is not the Problem also includes arguments that television violence does not cause crime, that drugs *per se* cannot cause violent crime, and that Americans should not think of their shared crime problem in racial terms—despite the large gap between black and white violent crime rates in general and homicide rates in particular.

Zimring is a very capable debater, as is evident in his answers to his critics in the University of Colorado *Law Review* symposium. But for all of Zimring's erudition and verbal skill, his case for a near ban on handguns and for major restrictions on self-defense is a failure. His statistics do show what common sense would suggest: An angry, irresponsible person with a gun is much more likely to kill someone than is an angry, irresponsible person without a gun. The phenomenally high murder rate in America's inner cities is definitely a consequence of how many irresponsible young men in those cities are armed with guns. Their fragile sense of their own manhood makes them ready to explode at slight provocations—add a gun to this rage and the result is often death rather than injury.

Similarly, the availability of handguns means that teenagers or small adults who might not be able to use muscle to overpower their victims can escalate a robbery to "your money or your life." Since so many of these young predators have slight regard for their own lives, it is not surprising that many robbery victims are killed even when they submit.

So far so good. But from these insights, Zimring proceeds in exactly the wrong direction. He urges that society solve the homicide problem by cracking down on the potential victims. Zimring's national gun licensing proposal would disarm many law-abiding people. But given the failure of nearly a century of heroin prohibition, there is no reason to expect that gun prohibition will disarm people who are determined to get a handgun. Criminals, who have the best access to the black market, will be the least likely to be disarmed.

Zimring's blindness here is the blindness of the American gun prohibition movement. Zimring seems unaware of the difference between a handgun in the hands of a hoodlum and a handgun in the hands of an elderly woman who lives in the same neighborhood. One gun undermines public safety; the other enhances it.

While disarming potential murderers is a reasonable objective, changing national handgun ownership rates cannot be expected to affect homicide significantly. According to Gary Kleck's book *Targeting Guns*, in 1971 there were 169 handguns per 100,000 persons in the United States. By 1994, the *per capita*

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handgun figure had more than doubled, to 325 per 100,000 persons. If Zimring were right about the strong relationship between the general handgun supply and the murder rate, then the latter should have increased significantly. Instead, it was essentially unchanged.

Yet Zimring insists that, without severe handgun controls (whose difficulty in implementation he acknowledges), America is doomed to a homicide rate far higher than other nations. He observes that, while his critics point out the difficulties of banning handguns or the dangers of doing so (genocide in the 20th century has often been committed against groups which were first disarmed by the government), none of them directly contest his claim that the American murder rate cannot be sharply reduced without severe restrictions on handgun ownership.

Yet America enjoyed a much lower homicide rate in the 1950's, when there were very few handgun controls. And other factors besides guns have a great effect on America's homicide rate. For example, there is extensive sociological evidence showing a direct link between illegitimacy and violent crime. If you go down to your local juvenile or adult court and talk to the angry young men who are there for committing a handgun homicide over a trivial insult, you will find that virtually all of them have grown up without a father. If we want to reduce *all* violent crime significantly, then America should aim to reduce the illegitimacy rate.

While doing this will be (as Zimring describes handgun control) "very difficult," it may not be as difficult as banning guns. Reducing illegitimacy means undoing several decades' worth of social decay. In contrast, Zimring's handgun proposal involves creating a condition–legally enforced handgun disarmament–which has never existed in the United States, and which is modeled on two of the greatest failures in American history: alcohol and drug prohibition.

If Zimring's handgun ban works as he hopes, then we will have fewer homicides. But if my anti-illegitimacy plan works, not only will there be a sweeping reduction in all violent crime, including murder, but there will also be a great reduction in the many other social problems associated with illegitimacy—such as poor performance in school, psychiatric disorders, and broken homes.

"Only if handgun controls are totally ineffective," Zimring claims, could a responsible public official not consider whether the difficulty of controlling handguns is worth the saving of lives. But Zimring does not address another possibility: What if handgun controls, rather than being futile or only partially effective, are actually harmful?

Zimring attempts to evade the findings in University of Chicago economist John Lott's book, *More Guns, Less Crime*, which show that, when responsible citizens are allowed to carry handguns for protection, violent crime rates fall six to eight percent. Zimring argues that we can't tell if Lott's theory is true, since there is not enough data. We don't know, for example, if concealed handgun laws actually lead to more people carrying handguns.

It's true that, since we don't know how many guns are carried without a permit, we can't prove formally that more guns are carried when permits are available. But it's common sense to believe that when you legalize something, you get more of it.

In any case, Zimring ought to remove the plank in his own data before criticizing the specks in Lott's. Zimring's and Hawkins' book is based on data from different nations; but not only are there huge differences in the classification of crime from one country to another, there may be huge differences in how often victims report crime and in many other variables. In contrast, Lott relies on county-level data from the United States, where interjurisdictional differences in reporting and recording are much smaller. Lott's statistical models, which use data from 3,054 counties, cover 15 years, and account for dozens of variables, are at least an order of magnitude more sophisticated than Zimring's.

As for the evidence that the United States has a substantially lower rate of home burglaries because American burglars, unlike foreign ones, risk getting shot if they break in while someone is home, Zimring just ignores it.

What about the other major prong of Zimring's gun control strategy: limiting the circumstances when deadly force can be used in self-defense? Zimring's point is that the more force a society finds legally justified, the more force will be used, even in unjustifiable circumstances. Law-abiding Americans have a much stronger legal right to shoot burglars than do people in most other developed nations. This is one reason, Zimring suggests, that criminal Americans are more ready to believe that deadly force is the right response for both personal disputes and for crime.

Scholars have debated for decades whether socially legitimated violence (war, the death penalty, boxing, self-defense) promotes illegitimate violence by setting an example that violence is good. Even if this hypothesis is true, the fact remains that cracking down on homeowners and other crime victims is immoral. If criminals draw the wrong lessons from the justifiable defensive acts of crime victims, then society should punish the criminals, not the victims.

All souls are equally precious in the sight of God, but not all lives are equally precious in the sight of a just legal order. The ability of honest Americans to know that the risk of home invasion is very low should not be sacrificed so that more burglars will live. A Zimring-style criminal justice system would doubly encourage burglary, by reducing law enforcement aimed at such lesser felonies and by removing one of the major current deterrents to burglary: the armed homeowner.

Zimring claims that this move would make Americans less worried about crime, because homicide is what most frightens Americans. Here, too, Zimring is wrong. On a given Saturday night, the average American family can feel secure at home, knowing that there is little probability that a criminal will try to enter. At the same time, the family may know that a mile away in the parking lot of a bar frequented by ne'er-do-wells, one thug may end up killing another thug. It would be a tragic mistake to attempt to save thug two from thug one by placing the innocent family at greater risk of being attacked. Such a policy would not increase the public's feeling of security, nor would it be just.

It is Zimring's refusal to consider morality and justice—his refusal to base his policies on the fact that non-aggressors have a greater right to life and safety than do aggressors—which prevents his erudition and scholarship from aiding in the development of appropriate firearms policies.

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APROD

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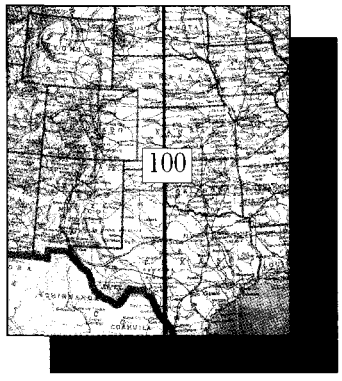
by Chilton Williamson, Jr.

Citizen Ed

It may or may not make sense for the living to think in arbitrary terms of decades, centuries, and millennia; what is certain is, the dead don't. Edward Abbey had been deceased just two months short of ten years and I was defunct about four months, entombed that long in the overpopulated, electronicized, ideologized megasprawl of modern America without escape or furlough, when I threw the camp gear in the back of the pickup truck and drove 400 miles due west into Arizona to meet Tom Sheeley, on his way south from Flagstaff, in the vicinity of Ed's secret, not quite anonymous, grave. Doug Peacock drives out from Tucson now and then to say an encouraging—or would that be discouraging?—word to his old partner in mayhem and disruption and empty a bottle of Jim Beam over the site, and I had been advised we'd find fetishes and other relics of remembrance and esteem in the vicinity. Just how many people have been initiated into this geographical and topographical mystery is uncertain, but the number must be very small. Before leaving Las Cruces I called Steve Prescott, Ed's brother-in-law, in Salt Lake City for precise directions, scribbling them on the back of a page or two of properly discarded manuscript while I held the receiver pinned between my ear and shoulder. Steve gave careful instructions, nearly as exact as if he were reading them off a slip of paper or taking them directly from a map, but he warned me that finding the grave would not be easy work. I told him it was all right, Ed didn't give a damn about tenth-year anniversaries (a trained philosopher as well as a naturalist and poet, he thought in epochs and eras rather than in decades), and if Tom and I didn't find where Cactus Ed was planted this trip we would the next—any pretext or excuse to get lost in the Southwestern desert being an acceptable one, as Coronado in search of the Seven Cities of Cibola and the Gran Quivira proves.

Ten years after Ed last witnessed them, the January skies are browner with the drifting smog of San Diego, L.A., and Vegas, and the cities of Tucson and



Phoenix more cankerous and grandiose, spreading like toxic amoebas across the desert and into the side canyons beyond. Everything I cherish is either threatened or in the process of being destroyed, Ed remarked near the end of his life, and things haven't got any better since 1989. If God has allotted us our three-score years and ten, rather than complain of the parsimonious brevity of human life, perhaps we ought to reflect that in 70 years a man—one living in the 20th and 21st centuries particularly—may see too much; we were not made to suffer and perceive such great changes, occurring with the almost incredible speed people have not only learned to expect but are now educated to welcome and embrace. Thus redefining for ourselves what it means to be a human being in the 20th century, as our reigning First Female has described it. Having a woman around keeps a man's mind off sex—according to an Abbey aphorism. Could the President's problem be that he hasn't been spending time enough at home with his wife? Meanwhile, I find it interesting that stream-of-consciousness as a literary technique was invented before most writers owned automobiles: amazing the thought processes that occur as you're driving at 65 miles an hour across the Papago Reservation (the northernmost and loveliest extension of the Sonoran Desert) toward a conflagration of burning pink that breaks suddenly from an overcast of ashen clouds, then extinguishes itself minutes later behind the western mountains like a ship in flames subsiding in the still, black sea.

Delayed in Tucson while the fan clutch on the truck was being replaced, I arrived at the desert crossroads of Why, Arizona, an hour and a half late and drove from one gas station/convenience store to the next until Tom Sheeley flagged me from a gold Dodge Ram with a tan camper shell over the bed. Tom, a classical guitarist who teaches in the music department of Northern Arizona University, is also an outdoorsman who once worked as a boater and camp cook on the Colorado River and as a consultant for Wild and Scenic Tours, the river-running outfit on the Green and the San Juan, which introduced him to another consultant, Edward Abbey (who, by one account at least, was terrified of whitewater, as every author with a duty to posterity should be). Once when I ventured to suggest that *The Hidden Canyon: A River Journey* (text by Ed, photos by John Blaustein) was something less than vintage Abbey, Tom replied that, after all, Ed did succeed in capturing the *brio* and *esprit de corps* of the river-rat fraternity; a recent review of the text tells me he was right. To while away the added hour and a half I had already consumed hanging around the Texaco station in Tucson, Tom had been browsing the collection of Abbey paperbacks on the truck seat beside him, among them *One Life at a Time, Please* and *Desert Solitaire*, Ed's finest production despite his lifelong ambition to write "The Fat Masterpiece," the working title of his Great American Novel—unfinished alas at his death, or perhaps not even begun.

I had been looking forward to this evening as a culinary milestone in my career as an outdoor adventurer—something on the order of those safari dinners as pictured in the old *New Yorker*, with champagne and pheasant, and perhaps even white tie and tails—but it was late, both of us felt ravenous, and Tom didn't feel like playing Emeril in the dark. So we drove ten miles on to Ajo, an old copper-mining town named for a head of garlic, where Tom had performed a concert a year or two ago, and drank beer with shots of whiskey in a Mexican restaurant off the arched plaza shaded by palm trees, waiting for the food to come out. After supper, while still legally sober, we drove back to Why and continued south a few miles, made camp among the saguaro, teddy-bear cholla, and palo verde, built a fire, whipped a

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fifth of Jim Beam within an inch of its life, wrapped ourselves in our sleeping bags, and fell asleep in the truck beds under the winter constellation of Orion.

In the morning we both felt better than either of us deserved, and after a George Hayduke breakfast—bacon and fried sliced potatoes added to ranch-style beans with a fiery salsa; French bread; espresso—drove back to Ajo to purchase a topographic map of Abbey's Graveyard, a suitably large tract including many hundreds of square miles. Armed with this map, plus Steve Prescott's scribbled but close instructions, we felt reasonably confident of locating Ed's last resting place. So confident, in fact, that we carried with us in the truck, in addition to ten gallons of water for health and emergency purposes, a 12-pack of Old Milwaukee (ten cans for us, two for Ed when we finally reached him). Carried where? Into the brown winter desert touched by the pale green of the saguaro, the yellowish creosote bush, and underlain by the gray-pink surface hardpan: wide valleys many miles across sweeping between ragged parallel ranges of red volcanic rock blackened with the dark desert varnish. Into the mild, early afternoon, unstirred by wind and warmed to a temperature of 75 degrees by the low sun whose light touched the landscape indirectly, as if the sky were a pane of smoked glass. Into the desert where nothing was seen to move—no deer, coyote, or rabbit; no ravens or vultures even—with the exception of an occasional phainopepla, a crested black bird (the females are gray) seven and a half inches in length with a long tail, red eyes, and a short warble, flitting from one saguaro to the next as if following the truck as we ground ahead in first gear down into the washes and up the opposite banks, around tire-tearing rocks, between clumps of bushes and trees reaching to rip the tow mirrors from the doors. Very slowly, while we drank a couple of lunch cylinders and tossed the aluminum remains backwards through the open windows into the rattling bed behind. (The only odometer Ed ever trusted in.)

We came at last to the jumping-off place Steve had described and continued on foot, carrying a couple of quarts of water and the two cans of Milwaukee's finest for Ed in the daypacks. In life he'd been here many times before; when Doug Peacock suggested this desert pass as an appropriate burial ground, Ed agreed enthusiastically. He died in Tucson around dawn, and after dark the following night his carcass, packed in dry ice and enclosed in his old sleeping bag, arrived by pickup truck with its four attendants—Peacock, Steve Prescott, Jack Loeffler, and Tom Cartwright, his father-in-law—at this site. Indeed, a spectacular place for interment: Trudging among the saguaros, dodging the rounded lava rock under foot, I was reminded of Jim Bridger who had said of the Rocky Mountain country that you could see forever from this place—and of Ernest Hemingway, who said of a friend's *finca* that if a man couldn't write here, he couldn't write anywhere. As long as we stayed on top of the escarpment the going was pretty good, but when we began to drop off it became treacherous. The following morning, the bearers had transported Ed some hundreds of yards before climbing down and burying him in a grave dug six feet into the cliffside; afterward they collapsed the bank above, adding an extra overburden of 30 feet of clay and gravel to keep the coyotes and undesirable human elements out, and raised a rude stone marker: EDWARD ABBEY, 1927-1989, NO COMMENT. In all this they were disturbed just two times: once when a wildlife biologist halted his truck in the vicinity, once when two Air Force jets overflew them at an altitude of a hundred feet, causing Peacock to yell, "*Down*!" and cover Steve's body with his own. (Ed's beloved military-industrial complex dipping its wings in a final farewell.)

We hiked and stumbled around, Sheeley and I, for several hours, clutching and waving Steve's instructions until the paper became a tattered and wilted rag, taking compass readings, looking for the series of invaginations he'd described and trying to imagine how four men carrying a corpse would proceed in this wilderness of rock and cacti, where they would dig—and found the gravesite, finally. Or thought we did, though the stone and fetishes that marked it have been removed, whether by the elements or by Ed's widow Clarke we never learned. In the end we couldn't be absolutely sure, though certainly we were within 100 yards or less of the place. (There was nowhere else to dig in that rocky, cactus-congested slope.) And all the time we could hear up there—out there—somewhere—Ed, cackling with laughter. I thought of our last goodbye (I didn't know it was the last, but he did) on Third South in Salt Lake City in November 1988, when he'd embraced me before getting back in the car, and wondered if this exercise here on the desert had actually been necessary, if I hadn't blurred the crispness of a Final Farewell to the indefinition of a Long Goodbye. But what's wrong with long goodbyes, really? I loved Ed Abbey, love him more as time goes by, and I was glad to have made this visit; I believe Tom was, too. Slowly, as twilight fell, we worked our way to the truck and dropped the backpacks in the bed, aware of the double clunk as the lunch cylinders struck steel. We'd forgotten to leave behind our inconvenient tribute, but no matter. You don't offer a friend warm beer in the desert, anyway.

In camp again among the saguaros with the full moon picking out Montezuma's Head from among the towers and turrets of the Ajo Range, we held a celebration, devouring two outrageous steaks from Flagstaff's best butcher shop. Then Tom brought his guitar from the truck, and I uncorked a magnum of Casarsa Cabernet. Seated by a fire of split juniper logs burning in an oil-change pan set on the gravelly ground, we drank wine and smoked the dry cigars we had bought in Ajo while he played "Norteña" by Gomez-Crespo and the "Concierto de Aranjuez" by Joaquin Roderigo, and the stars scrolled slowly in a southwesterly direction across the darkly shining sky. At the close of his life Ed had looked forward to enjoying what he heralded as the Wild Nineties. Instead, he died. The 90's didn't turn out so well anyhow.

"You know, I think he went just in time," I said.

Tom nodded above the guitar.

"Before the clitocracy really got after him."

"And the immigration environmentalists."

"I have a feeling the entire movement is reevaluating him this minute. The Brady Bunch too, of course."

Citizen Ed. Though avoiding "syphilization" as the modern plague, he was a patriot. He cared about his country, the old American constitutional republic. "I'm not a hermit," he once protested, indignantly. Just a desert rat was all. From the ridge behind camp a barbaric yawping—a noisy team effort—erupted suddenly.

"An encore for the coyotes, *por favor*," I asked Tom. So he played it.

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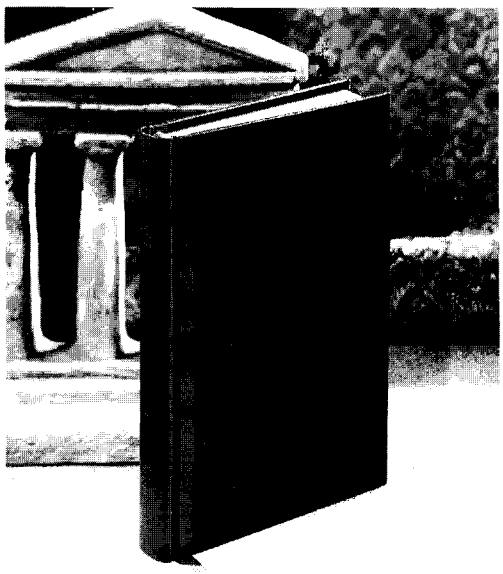
Modern Editions of Classic Works for Readers Today

THE LOGIC OF LIBERTY

By Michael Polanyi
Foreword by Stuart Warner



A chemist and member of a family renowned for its learning in several disciplines, Michael Polanyi experienced first-hand the horrors of totalitarian government and worldwide war. Consequently there is a singular weight to Polanyi's challenge to advocates of centrally planned scientific inquiry or the centrally planned implementation of scientific discovery. He argued that organizations—or governments—based solely on the methods of science threaten to foreclose a full human knowledge of the mysteriesof existence and therefore pose a direct threat not only to academic freedom but to social and political liberty. The very triumphs of science in the modern era, Polanyi believed, at least affect and sometimes threaten liberty: "Our discovery and acceptance of scientific knowledge is a commitment to certain beliefs which we hold, but which others may refuse to share." This fateful interrelationship between science and liberty in our time is given supreme and elegant reflection in ***The Logic of Liberty***.

Michael Polanyi (1891–1976) was an internationally renowned scientist, philosopher, and professor whose other works included *Personal Knowledge* and *The Tacit Dimension*.

Stuart D. Warner is Professor of Philosophy at Roosevelt University, Chicago.

256 + xxi pages. Foreword, preface, acknowledgments, bibliography, index.

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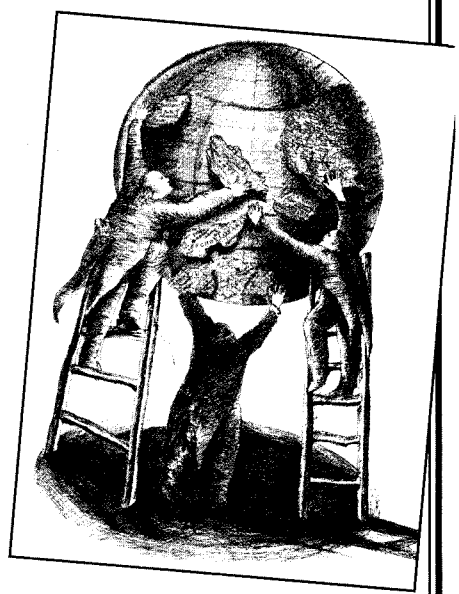
Back here in the States, we are rapidly drifting away from our European-American heritage in the pursuit of diversity and multiculturalism.



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